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ABSTRACT

This report describes one group of nonprofit organizations that provide free civil legal assistance to qualifying low-income people. Between 1997-2001, legal services programs made significant strides in using technology to improve services. In the mid-1990s, they began using new technologies on an increasingly regular basis. However, few had their own web sites, and very few included significant amounts of legal or practice information for staff and/or clients. Less than half made full use of e-mail or computerized research tools, and fewer could access the Internet from their desktop computers. From 1997-2001, the Project for the Future of Equal Justice made concerted efforts to help legal services programs improve their use of new technologies. Activities included establishing a Web site, providing extensive training and education, and supporting increased funding. In 2002, almost every legal services advocate has desktop access to the Internet and e-mail. Virtually all legal aid programs use sophisticated case management software, and many use document assembly software to generate routine correspondence and pleadings. Most programs have a Web site. Recommendations to help the legal services community improve its use of technology include broadening the funding base for technology-related work, creating a culture of information sharing, and evaluating the use of new technologies. (SM)

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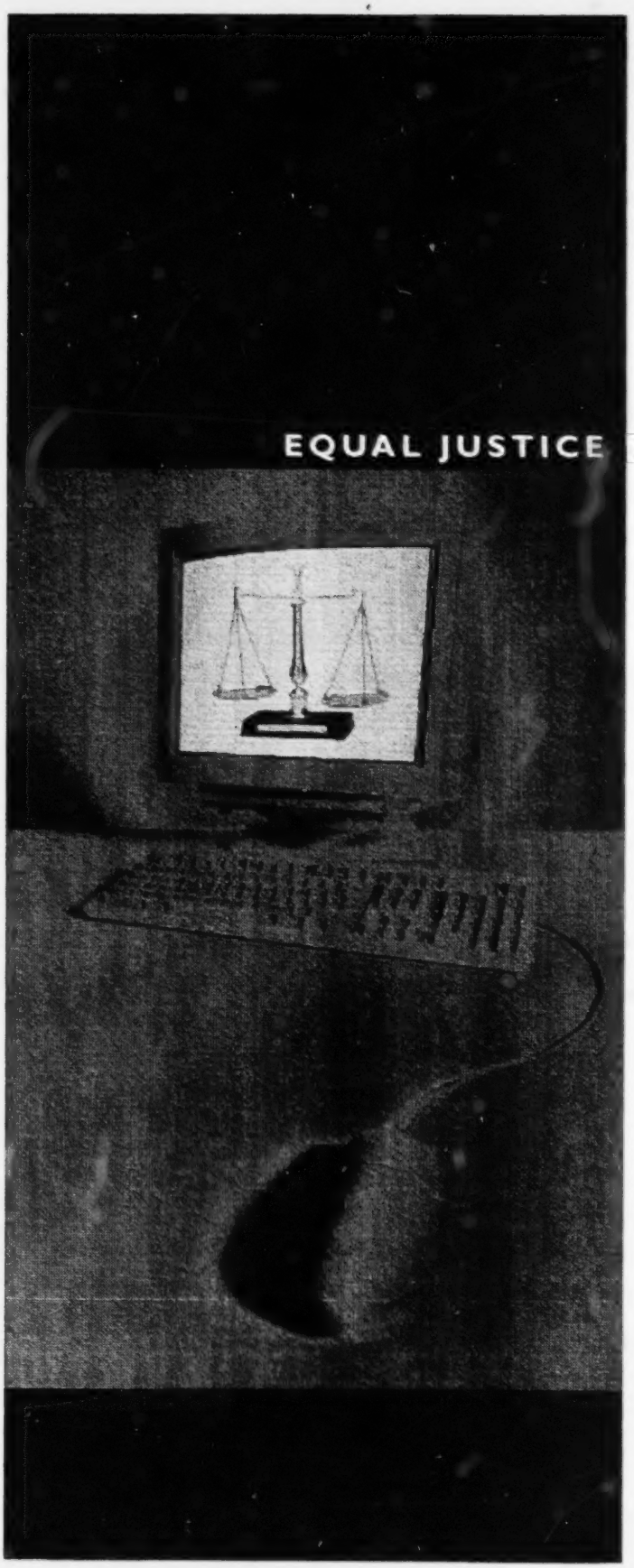

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EQUAL JUSTICE AND THE DIGITAL REVOLUTION

Using Technology to Meet the Legal Needs of Low-Income People

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Executive Summary

In the past 10 years, our society has experienced a "digital revolution," the implications of which are as stunning as those of the industrial revolution, yet are even more remarkable because these changes are happening in a fraction of the time.[1] Beginning with the affordable personal computer and taking a giant leap forward with the creation of the Internet and the web browser, this revolution has changed how we work, play, communicate, learn, and obtain goods and services.

Yet the pace of change has not been the same in all sectors of society. Technology use by the middle and upper class and by whites is significantly ahead of use by poorer people and people of color, a gap that some observers have termed the digital divide. On a corporate level, this gap looms equally large between the private sector and the nonprofit sector.

Equal Justice and the Digital Revolution tells the story of one group of nonprofit organizations: programs that provide free civil legal assistance to qualifying low-income people. In the period covered by this report (1997 to 2001), legal services programs made remarkable strides in harnessing the potential of technology to improve service to clients.

In the mid-1990s, organizations providing civil legal assistance to low-income people were beginning to use new technologies on an increasingly regular basis, such as word processing, accounting software, and some early computerized case management systems. However, few programs had their own websites, and only a handful of these sites included significant amounts of legal or practice information for staff and/or clients. Less than half of all advocates were making full use of outside e-mail or computerized legal research tools, and far fewer were able to access the Internet from their desktop computer.

From 1997 to 2001, the Project for the Future of Equal Justice (Project), a joint effort of the National Legal Aid and Defender Association and the Center for Law and Social Policy, engaged in a concerted set of activities aimed at helping legal services programs improve their use of new technologies. Activities included setting up a website devoted to these issues, providing extensive training and education, modeling the use of innovative technology, disseminating information about best practices, supporting increased funding for technology, and convening distinguished advisory groups to plan and provide a vision for the future.

Today, in 2002, almost every legal services advocate has desktop access to the Internet and e-mail and uses those resources daily. Virtually all legal aid programs use a sophisticated case management system, and many use document assembly software to generate routine correspondence and pleadings. Most programs have a website, and more than 30 states have a statewide website with information useful both to advocates and clients (and almost every other state is in the process of building such a site). Dozens of national sites provide substantive legal information and information on delivery, management, and technology. Many states now have a central phone number (or several regional phone numbers) for clients to call to be referred to the appropriate program or to obtain brief advice about their legal problems.

1 See John Tull, "Technology and the Future of Legal Services," *MIE Journal* (Summer 2000).

These technological advances have:

- Enabled greatly expanded access to legal information for both advocates and clients through Internet and e-mail technologies;
- Expanded access for clients by using telephones for screening, obtaining basic client information, referrals, and providing brief advice and services, and also by posting information on the Internet;
- Enabled better case management and data collection, along with automated templates for document creation;
- Improved communication between lawyers and clients through new telephone technologies, cell phones, and videoconferencing;
- Facilitated staff and volunteer recruitment through e-mail and the Internet;
- Provided new avenues for outreach to clients and the public;
- Increased training opportunities for advocates; and
- Created a greater sense of community through e-mail and the Internet.

The knowledge acquired through the Project's work informs the eight recommendations set forth in this report. For the legal services community to continue to improve its use of technology to provide equal justice for all, the Project recommends the following set of objectives.

1. **Broaden the funding base for technology-related work.** Foundations, government programs, and individuals supporting legal aid can make an enormous difference in creating a strong technology infrastructure. Effective technology use can advance a full range of substantive goals, so all funders — regardless of their particular issue focus — should both support technology-based special projects and underwrite the ongoing technology-related costs of "ordinary" substantive projects and operations.
2. **Address substantive issues at the intersection of technology policy and low-income communities.** These issues include universal access to the Internet, literacy (including information literacy), training in computer usage, privacy issues, creation of relevant content, use of technology by government and other service providers, and infrastructure "redlining."
3. **Provide community legal education and assist pro se litigants.** New technologies, especially the Internet, can provide information to assist low-income people attempting to solve their legal problems on their own, as well as to help people avoid legal problems in the first place.
4. **Create a culture of information sharing.** To reach the full potential of the Internet, members of the equal justice community will need to consider themselves key resources for others and share information horizontally across program and state lines and vertically with clients, state and national support organizations, and funders.
5. **Develop better and more integrated technologies and applications.** In addition to cutting-edge work to develop new technologies and applications, technologists can work to integrate existing stand-alone systems, such as case management, document assembly, litigation support, hotlines, websites, electronic filing, and other systems.
6. **Make a higher commitment to technology on an organizational level.** Programs will be better equipped to take advantage of new technologies if they think about budgeting for

technology in innovative ways. Existing investments in technology can be leveraged considerably with better technology staffing, more experienced technology project managers, long-range technology planning, and a lot more training for end-users. Technology can be used to improve program management as well.

7. **Evaluate the use of new technologies.** In addition to using technology to improve overall evaluation and data collection/outcome measurement practices, programs can evaluate the effectiveness of new technologies for service delivery and other program goals. Such evaluations will help ensure that these technologies actually do benefit clients and communities.

8. **Work collaboratively to plan, execute, and support technology-based work.** State justice community planning efforts can include technology as a key area around which individuals and organizations collaborate. National and state justice communities can also consider ways to support technology efforts better, including creating organizations or organizational functions specializing in technology. Legal aid technologists can not only learn from, but also play key roles in, the broader national nonprofit technology movement and in the field of law and technology.

Background and Context

The digital revolution offers significant opportunities to those who provide legal assistance and education to low-income people and communities. New technologies enable us to create higher quality work product, conduct better research, work more collaboratively, learn more readily, and — most important — serve clients more effectively. Clients and advocates alike can find relevant information on the Internet, programs can use a variety of new management and evaluation tools, and everyone can communicate more easily.

From 1997 to 2001, the Project for the Future of Equal Justice (Project), a joint effort of the National Legal Aid and Defender Association (NLADA) and the Center for Law and Social Policy (CLASP), engaged in a concerted set of activities aimed at helping the equal justice community[2] develop its ability to use new technologies to achieve its mission (see Appendix). Project staff learned a great deal over the course of this initiative about the relationship between technology and equal justice. As the Project turns its focus to other areas, this report is intended to capture some of that acquired knowledge and to provide recommendations for next steps to advance the use of technology by the equal justice community.

Using Technology to Improve Legal Services

The following hypothetical examples, derived from real stories, illustrate the power of technology in the delivery of legal services and information:

- A rural legal services program has a hearing-impaired client who lives two hours away from the office. While a staff attorney is willing to travel to the client, the program is unable to find a sign interpreter willing to travel. Using videoconferencing, both the attorney and the sign interpreter are able to serve the client without having to travel, enabling them to spend the extra time representing the client's interests rather than driving around the state.
- A young Vietnamese man has to go to court in response to an eviction notice. At the public library, he uses the computer to visit a site that provides him with a video tour of the court (including directions and parking information), gives him information on tenants' rights, and walks him through the process of creating an answer to his landlord's complaint, including affirmative defenses related to housing code violations — all in Vietnamese. Upon arriving at court, he knows exactly where to go and what will happen, how to file his papers, how to request an interpreter, and tips for representing himself in front of the judge.
- A state court creates a simplified form for orders of protection. Before the Internet, it would have taken weeks if not longer for a new form to gain wide distribution, and abuse victims and others would have faced additional obstacles in their efforts to obtain protection. Now, within hours, the statewide legal services program has posted that new form (with instructions) on its website so that staff at legal services programs, battered women's shelters, and other organizations, as well as clients, can download it immediately.

2 The term "equal justice community" refers to anyone providing civil legal assistance to low-income people who cannot otherwise afford an attorney. The community includes staffed legal services programs (both those funded by the Legal Services Corporation [LSC] and those receiving other public or private support), pro bono lawyers and programs, law school clinics, and anyone else serving the relevant population.

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- A large legal services program has six offices. Previously, clients at the five satellite offices could not be served at the time of intake because staff needed to perform a conflict check using hard-copy file cards located at the central administrative office. Now, every advocate can check the program's database in real time over the Internet. Thus, when a client walks into a satellite office with an emergency need, the advocate is able to check for conflicts immediately.
- An advocate is working with a community-based organization to improve access to health care. Representatives of the organization are called into an emergency meeting by the city council to discuss an issue related to Medicaid coverage. In the two hours between learning of the meeting and attending it, the advocate uses websites and several e-mail lists to check with dozens of health-care advocates around the country to see if the same issue has arisen in their jurisdiction and what they have done about it.
- A pro bono lawyer in a small litigation boutique agrees to help an HIV-positive mother settle her affairs. Neither he nor his firm has any experience with wills or living wills. The pro bono lawyer goes to a statewide website that provides him with a manual on how to draft these documents, complete with examples; a calendar of local trainings on will-drafting; and access to names of legal services and pro bono experts available to assist him.
- A single mother living in public housing loses her job after September 11 and does not qualify for unemployment benefits. Without income, she is unable to pay the rent. Mid-month, she receives an eviction notice from the housing manager's office. Using a computer lab in her housing project set up by the Department of Housing and Urban Development's Neighborhood Networks, she locates on-line information about her rights as a tenant. She also obtains information about a local law school clinic that does eviction work and calls them to obtain assistance.

Societal Context

In the five years covered by this report, the pace of technological change in society as a whole was phenomenal. In 1997, the Department of Commerce reported that 18.6 percent of American homes had access to the Internet and 36.6 percent had a computer. In 2001 — just four years later — 54 percent had Internet access and far more homes had a computer.[3] One main source of Internet access for households, AOL, was serving only 6 million customers in 1996 when it experienced its widely reported blackout due to overuse of the system. Today, it serves over 34 million, offering e-mail, instant messaging, and virtual communities of all kinds in addition to basic Internet access.[4]

In addition, e-mail has eclipsed the postal service for interpersonal communication. Information on the Internet has dramatically

3 National Telecommunications and Information Administration, U.S. Department of Commerce, "*A Nation Online: How Americans Are Expanding Their Use of the Internet*," February 2002. This publication, previously titled "*Falling Through the Net*," examines computer and Internet use according to various demographic categories. The latest version of the report no longer provides data on how many homes have a computer or on-line access, but provides information on how many people use computers or the Internet. The change in both the title of the report and its contents reflects the change in political leadership. While the Clinton Administration focused on racial and income disparities in computer ownership and Internet access, the Bush Administration has focused on overall progress in all categories. Numbers associated with computer or Internet usage, as opposed to ownership, are of course higher in all categories.

4 This number is from the AOL corporate website at http://www.corp.aol.com/whoweare.html.

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changed the relationship between consumers and service providers such as doctors and lawyers, as consumers can obtain reams of information that was previously only available through specialized professional libraries. In the world of e-commerce, on-line sales hit $13.8 billion during the 2001 past holiday season even in the face of reduced shopping due to the recession and the September 11 attacks.[5]

The nonprofit community, however, has lagged significantly behind the business community in adopting new technologies. In 1999, the National Strategy for Nonprofit Technology reported that nonprofits — particularly those in low-income communities and communities of color — were "underserved with respect to technology acquisition and use."[6]

Similarly, a series of focus groups conducted by the Pew Partnership for Civic Change found that nonprofit and community-based organizations were having difficulty integrating information-age tools into their programs.[7] The lack of content relevant to low-income, rural, limited-literacy, or minority Internet users (as documented by the Children's Partnership[8]) supports this observation that nonprofits have been underusing the Internet to disseminate information and conduct program activities.

As recently as July 2001, the Leadership Conference on Civil Rights released a survey of its membership (mostly national civil rights groups) that found these groups lagged behind the business sector in their use of technology, and also in their involvement in policy issues related to the information age. Another national research organization, PolicyLink, released a report outlining the consequences of the digital divide between nonprofit organizations and the business sector, including problems meeting increased demand for services, an inability to compete with for-profit enterprises, ineffective communication with constituencies, and an increased isolation from the new economy.[9]

Overview of Legal Assistance and Technology Since 1997[10]

In the mid-1990s, organizations providing civil legal assistance to low-income people were begin-

5 *E-Spending*, a report issued by New York-based The Goldman Sachs Group Inc., polling firm Harris Interactive Inc., and market research firm NetRatings Inc. The report comprises eight weeks, from the week ending Nov. 9, 2001, to the week ending Dec. 28, 2001.

6 National Strategy for Nonprofit Technology, "*A Blueprint for Infusing Technology into the Nonprofit Sector*," (July 1999).

7 http://www.pew-partnership.org/pubs/coming_of_age/findings.html

8 The Children's Partnership, "*Online Content for Low-Income and Underserved Americans: The Digital Divide's New Frontier*," (March 2000).

9 PolicyLink, "*Bridging the Organizational Divide: Toward a Comprehensive Approach to the Digital Divide*," (September 2001).

10 We have chosen 1997 as the starting date for this paper because that is when the Project became involved in technology issues. However, important technology initiatives have been taking place in the legal services community for many years now, long before the advent of the Internet. LSC has long supported legal services technology development through a variety of means, including requiring recipients to use computers and computerized reports. There have been several field technology task forces, most notably the National Network Advisory Group, and both NLADA and Management Information Exchange (MIE) have provided assistance around technology issues. Innovations such as automated document assembly, computerized case management, and sophisticated telephone systems have been changing the landscape of legal services for two decades. The popular human services on-line community HandsNet, which provided advocates with the ability to communicate electronically before contemporary e-mail programs existed, grew out of a project at the Public Interest Clearinghouse, a California legal services state support organization. The list of individual technological innovators who have provided leadership on technology and legal services is quite long and includes Hugh Calkins, Francis Cheng, Ayn Crawley, John Paul Kemp, Marc Lauritson, Wayne Moore, Jim Morrissey, Ron Staudt, Anthony White, Richard Zorza, and many others.

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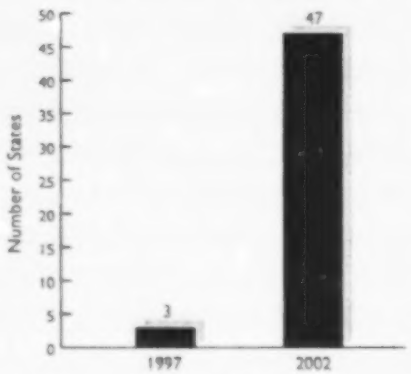
ning to use new technologies on an increasingly regular basis. All but a few programs were using word processing systems for text documents, and most offices had local area networks (LANs) in place. Most programs were using accounting software to keep their books. Some programs were using computerized case management systems, largely oriented toward keeping case statistics for funders. Several programs and regions also were beginning to experiment with more sophisticated telephone systems for intake and providing brief advice and assistance by phone.

At the same time, comparatively few programs had their own websites, and only a handful of sites went beyond serving as a "virtual business card" with contact information to include significant amounts of legal or practice information for staff and/or clients. Fewer than half of all advocates were making full use of outside e-mail, computerized legal research tools, and Internet research tools, often accessing the web from home due to a lack of access at the office.

Today, in 2002, almost every legal services advocate has desktop access to the Internet and e-mail and uses those resources daily. In most places, advocates are able to use fee-based computerized legal research tools such as Lexis and Westlaw. Virtually all staffed legal aid programs use a computerized case management system, often one that can be accessed in real-time from every office in the program, and some from remote locations. Increasingly, the case management system works with document assembly software that can automatically generate routine correspondence and pleadings.

Most programs now have a website, with over 100 sites that contain information useful to advocates, clients, or both. Seventy percent of states have a statewide website, most of which also contain

Growth in Statewide Legal Aid-Related Websites



information useful both to advocates and clients, and many other states are currently building such sites.[11] Dozens of national sites provide substantive legal information to advocates, and other national sites support delivery, management, and technology functions. Many program, statewide, and national websites are using cutting-edge software and offering extensive functionality.

In addition, more and more states have a central phone number (or several regional phone numbers) clients can call to be referred to the appropriate program or to obtain brief advice about their legal problems. A number of programs are using videoconferencing software either for advocate interaction or to deliver services to clients who cannot come into the office. The community's largest funder, the Legal Services Corporation (LSC), is in the forefront of promoting advanced technologies. Technologists in the community also are working on "interoperability standards" that will allow users to search information across different web platforms.

It is also important to note that, until recently, the use of telephones and computers in legal aid was lumped under the broad catch-all category

11 According to Glenn Rawdon of the LSC Technology Initiative Grant (TIG) program, by 2003, 47 states and territories will have a statewide website at some stage of development.

of "technology." That categorization created two major problems. First, "technology" is a very broad term, which does not sufficiently distinguish between very different technologies such as websites, databases, telephone hotlines, and videoconferencing.

Second, and perhaps more important, the use of that term as a category creates a semantic divide that hinders the integration of computers and other devices into organizational core missions. Just a few years ago, technology was often understood as something that "techies" cared about, not regular lawyers. Executives spoke of their "technology" budget as something separate from their "program" budget. Managers disconnected their need for "up-to-date" technology from their other work, rather than considering computer-based solutions as equals among the many tools available to reach organizational objectives. Training events offered "substantive" or "delivery" sessions separate from "technology" sessions.

Now, most members of the community agree that technology cannot be separated from an organization's core mission. All staff need the necessary skills to operate any computer or telephone functions that relate to their job duties. Costs for computers, networking, and bandwidth are ongoing operational costs, neither a one-time capital investment nor a separate project unto themselves. Managers and advocates can integrate computer and telephone functionalities into their overall advocacy toolbox to use in representing clients or solving problems in their client communities.

How the Project Became Involved in Technology Issues

After the Project was launched in mid-1997, its staff began to evaluate ways in which a small but focused capacity-building effort could help programs serve clients more effectively. From August through November of 1997, the Project conducted a needs assessment designed to explore the support requirements of legal services advocates and managers.

Initially, Project staff anticipated this assessment would confirm initial assumptions that the community required more national support for substantive legal work. Unexpectedly, however, the assessment uncovered a deeper and more widespread need: advocates wanted to feel more closely connected to each other and to their client communities. Their prior connections had become attenuated as a result of budget cuts and work restrictions. At the same time, a surprisingly large number of managers and advocates expressed an interest in learning how new technologies could help them provide better and more services to clients.

Project staff knew that new technologies could give advocates easier access to substantive information that already existed, as well as to help them serve more clients. In addition, Internet and e-mail technologies could help connect an increasingly fragmented community.[12] Yet there was no identifiable national capacity in the legal services community to provide information, training, and assistance around new technologies.

While the Project was conducting its needs assessment, Catherine Samuels, the Program Director of the Open Society Institute's Program

12 In the 1970s, most legal services providers were funded by LSC and connected through a network of regional training centers, national "back-up" centers, and common funding. In the 1980s and 1990s, not only did legal services programs lose funding due to political pressures and budget cuts, but new players stepping up to fill the gap, such as pro bono programs and law school clinics, were not as closely tied into the legal services network. After the drastic budget cuts and work restrictions of 1996 that also gutted the national infrastructure, many legal services programs split into two programs, thereby fragmenting the community even further.

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Open Society Institute Technology Planning Meeting

The following points of consensus were reached at the Open Society Institute (OSI) meeting on legal services technology held on October 1, 1997.

- All legal services lawyers and nonprofit organizations addressing the needs of low- and moderate-income people need desktop access to e-mail and the Internet.
- Computer and Internet technologies can serve a broad range of constituencies, including low- and moderate-income people, legal services providers, social service providers, policy organizations, and government agencies.
- Members of the legal services, nonprofit, and pro bono communities need on-line access to technical information, computerized legal research (including case law, periodicals, and pleadings), legal and policy analysis, mentoring and networking, and management support information.
- Substantive and technical resources and support should be available to all those constituencies, with new content created to fill any gaps or voids.
- OSI should consider establishing a national support network to link the specialized websites providing targeted information to the above constituencies.
- OSI should consider establishing a national technologically-based support center to fill support gaps and improve access to information for low- and moderate-income people.
- The disintermediating nature of the Internet requires the creation of re-intermediators to help people get the information they need when they need it.
- The legal services and pro bono communities need not just computer equipment and substantive law support, but also technical training and support.

on Law and Society, engaged in a similar inquiry.[13] In October 1997, she brought together over a dozen representatives of the national and state support communities to discuss the relationship between computer technologies and increased substantive support for advocates.[14] Numerous points of consensus emerged from the four-hour discussion, especially around the need for a national source of technological information, training, and support (see box above).

As a result of these experiences, when the Project defined its initial areas of focus in early 1998, several areas related in some way to the uses of new technologies: (1) promoting collaboration among the community of advocates; (2) creating mechanisms to facilitate communication and joint work and to provide easy and effective access to experts and written resources; and (3) developing a national strategy to harness the potential of technology to transform the ways in which poor people and their advocates resolve legal problems.

Survey Data: Then and Now

At the Project, we have tried to pay close attention to the development of legal services technology over time. At the inception of the Project, we

13 The OSI Program on Law and Society is the primary funder of the Project for the Future of Equal Justice.

14 Participants were Randy Chapman, Texas Legal Services Center; Henry Freedman, Welfare Law Center; David Goldsmith, HandsNet; Julia Gordon, Project for the Future of Equal Justice; Richard Granat, Center for Law Practice Technology; Alan Houseman, Center for Law and Social Policy; Larry Lavin, National Health Law Program; Rita McClennon, National Clearinghouse for Legal Services (now the National Poverty Law Center); De Miller, Legal Services of New Jersey; Linda Rexer, Michigan State Bar Foundation; Don Saunders, National Legal Aid and Defender Association; Michael Saunders, HandsNet; Linda Singer, Appleseed Foundation; and Nancy Strohl, Public Interest Clearinghouse. OSI staff members were Amanda Campbell, John Kowal, Gara LaMarche, Rebecca Nichols, Jonathan Peizer, and Catherine Samuels.

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conducted an extensive survey of individual advocates in the summer of 1997, as well as a smaller survey of states in early 1998. As we began to wind down the Technology for Justice Initiative at the end of 2001, we conducted two similar studies, although the individual survey was smaller while the statewide survey was much more extensive. Although the survey instruments and methodologies were not identical, we obtained sufficient information to make some useful comparisons between 1997 and 2001 (see box below).

Most states now have a formal technology planning process, run either by a dedicated staff person or by a statewide task force. Their technology strategies consider a broad array of system users, and they have a much more diversi-

Technology Comparison Chart 1997 to 2001

	1997	2001
Computer access	Most advocates had computers on their desks, but well under 50 percent had Pentium processors (nearly a quarter of the advocates were still using 386 processors).	The vast majority of advocates had computers with Pentium processors, and many users had the fastest commonly available processor, the Pentium 3.
Desktop Internet access and external e-mail	Well under half of all advocates had either external e-mail or Internet access from their desk.	In most states, all advocates had desktop external e-mail and Internet access, and in no state was the percentage lower than 50 percent.
Lexis or Westlaw	Only about a third of advocates used these services. Main reasons for low usage included cost and lack of training.	Most attorneys used these services; only a few states had fewer than half using them.
E-mail lists	Thirteen percent reported participating in an e-mail list.	The vast majority of advocates participated in e-mail lists.
Statewide websites	Three states had active statewide websites with information for advocates and clients.	Forty-seven states and territories had or were building statewide websites with information for advocates and clients.
Statewide technology coordinators	Only one state had a dedicated staff position for technology efforts, and technology was in the job description for statewide staff in a few other states.	Most states had either a dedicated technology staff position or a technology task force or committee supported by paid staff.
Internet usage	About half of all advocates had tried using the web for research.	All advocates had used the web, and most were quite comfortable with web-based research.
Videoconferencing	No state was using videoconferencing either for advocates or clients.	Eight states reported using some form of videoconferencing technologies for advocates to interact with each other; five reported using videoconferencing to interact with clients.

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fied funding base for technology efforts. Of the 26 states that responded to the full survey:

- The technology planning process covers software acquisition (100%); user training and technical assistance (95%); hardware (86%); case management systems (86%); free on-line informational resources (86%); new technologies for pro se delivery (77%); new technologies for intake and brief service (73%); and communications among legal services and social services, and other public interest organizations (73%).
- The planning process also includes user groups (64%); time-keeping software (68%); communications with pro bono attorneys (68%); fee-based computerized legal research tools (64%); and on-line training (59%).
- Their planning process is increasingly considering the needs of pro bono programs (91%); non-LSC funded programs (74%); social service providers (48%); government agencies (39%); law school clinics (35%); health care providers (22%); public interest law firms (22%); and courts (9%).
- An increasing pool of stakeholders beyond legal services programs is participating in technology planning, including pro bono programs (68%); state bar associations (68%); state support programs (59%); state Interest on Lawyers' Trust Accounts (IOLTA) programs (50%); law school clinicians (36%); private law firms (36%); and, in a few cases, courts (10%).
- In addition to funding from legal services programs themselves (used by 86% of the states), funding for technology comes from state IOLTA programs (55%); the LSC Technology Initiative Grants (36%); state support entities (29%); private foundations (23%); state bar associations (23%); and courts (14%).

How New Technologies Serve the Goal of Equal Justice

This chapter discusses the uses of new technologies by the equal justice community in three functional categories:

- Improving program and office management;
- Increasing access to assistance and information for advocates; and
- Improving client education, preventing legal problems, and assisting pro se litigants.

Improving Program and Office Management

The speeding and streamlining of office systems is one of the longest-standing and best-accepted uses of new technologies. However, simply automating and expediting existing processes is not the optimal use of these technologies. Ideally, they should also be used to create better processes that help the organization carry out its mission more effectively. The paragraphs below describe the components of legal aid office systems and explain how computer or telephone technologies are being used to improve the operation of those components.

Intake

Obtaining accurate and complete information from a potential client at a time and place convenient to both the client and the intake worker is a core function of a high-quality legal aid organization.

Traditionally, legal services programs conducted only one type of intake: in-person interviews conducted during set intake hours. To obtain assistance — or even to learn that the program could not provide assistance — a potential client would have to travel to the office (or to an intake center in the community, used in rural and other areas where travel is difficult) during business hours and sit in the waiting room until an intake worker became available. After the interview, in many cases, the client would have to then go home and wait until after a case acceptance meeting to learn whether representation could be provided, at which time another appointment with the attorney would be scheduled.

New technologies have significantly changed the intake process. Most important is the increasing use of the telephone to improve intake. Today, most programs regularly talk to potential clients over the phone, weeding out those callers whom the program could not serve and saving them a trip to the waiting room while scheduling in-person interviews for those whose cases could potentially be accepted.[15] In many programs, the entire intake process of gathering basic information is handled over the phone.

Telephone intake is increasingly important in the wake of welfare reform. Since most public benefits recipients work, they often cannot walk into legal aid offices during the day (although many more programs are now conducting intake during evening or weekend hours as

15 Phone intake also opened up access to people who may not have walked in. This phenomenon was first demonstrated graphically by Legal Aid of Orange County in California, which used GIS mapping to map its walk-in clientele against the telephone hotline clientele, and discovered new and unexpected pockets of low-income legal need in its service area.

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well).[16] One technological advance that has made telephone intake much easier is computerized case management systems (discussed below).

Case Management Systems

Having all client intake information entered into a database provides numerous benefits. Conflict checks can be conducted virtually immediately, as can eligibility screening, in contrast to the clunky and error-prone file-card systems used in the past.[17] Client information entered into the computer once does not have to be entered again. Systems can automatically generate statistics for funders and correspondence to clients, such as letters reminding them of their appointment dates. Computerized systems can even use diagnostic software to guide intake workers through a series of branching logic questions, ensuring that all necessary information is obtained.

In addition to assisting with intake, computerized case management systems can help advocates better represent their clients. A good computerized case management system, which keeps client information, case notes, and other related information in one shared electronic file, can make it much easier for one attorney to step in for another who is sick or on vacation.

Another benefit is better supervision of attorneys. In many programs, particularly hotline programs, a supervisor reviews the computer records of every single case, checking to see that the advocate provided the correct advice to the client. Supervisors can use this technique to review the notes from advice-only cases and to review pleadings and notes associated with an extended representation matter. Supervisors can also sort case files by date to check on progress and note if cases are languishing.

Particularly robust case management systems also contain workflow planning tools that build in best practice information for different types of cases. For example, opening a new divorce case for a plaintiff with children can automatically calendar case deadlines and discovery planning appropriate to that type of case. These computerized docketing and calendaring systems can ensure that no deadlines are missed, a major problem in overtaxed offices where attorneys carry caseloads into three digits.

Good case management systems can also be used to coordinate among attorneys and other staff, dramatically simplifying the process of scheduling interviews and meetings. The systems can contain contact lists, telephone logs/callback schedules, and time sheets (where advocates keep time records for fee purposes, funders, or any other reason).

Data Collection

Computerized case management systems also simplify collecting and aggregating data. Most programs use data collection mainly for reporting to funders and for tracking costs per case. A good case management system can be programmed to provide the information needed

16 Often, the telephone number that potential clients call is known as a "hotline," and in addition to screening for eligible clients, the hotline also provides brief advice and referral to clients who do not qualify for extended representation. Some offices run their own hotline; some are run by programs with multiple offices; and others are centralized intake systems for an entire state, region, or city. For more information about brief advice and referral, see the discussion of hotlines in on page 26.

17 Until recently, programs with more than one office faced challenges in using computerized case management systems for programwide conflict checks, unless the program had invested a significant amount of money in a wide-area network (WAN), or unless the program ran a complicated system of regular database updates. Today, however, most of the case management systems are moving onto the Internet, where they can be accessed in real time by anyone with a web browser and a password.

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by any and all funders, government agencies, or others requiring statistical information from a program.

However, this data can be used for many other purposes too. If information from every case in the office is aggregated, it provides a broad snapshot of the clients and community, which is particularly useful for guiding advocacy priorities. For example, data can also be sorted by demographic characteristics to show discrimination.

Mapping systems (also called GIS, for "geographic information systems") can take data and demonstrate geographical patterns that can be useful for many purposes, such as showing eviction patterns or environmental hazards. Some programs use zip code data and GIS mapping to show where their clients are coming from and to make sure they are appropriately covering their service area. Program data can be overlaid against other GIS data, such as census information or maps of Community Development Block Grant (CDBG) information, to show other patterns.

Document Assembly

Case management systems can be integrated with document assembly and automatic calculator programs. Document assembly programs are software programs that automatically generate forms, pleadings, or correspondence, using preformatted text with prompts for personalized information. Most templates can also be cus-

MDJusticeNet — Document Assembly Technology for the Maryland Equal Justice Community

The Maryland Legal Assistance Network (MLAN) has created a specialized document assembly system to increase collaboration and information sharing between staff of legal services organizations and pro bono attorneys associated with MLAN.

The system, called mdjustice.net, uses Rapidocs, a document assembly software that automates the development of customized legal pleadings and forms through an interactive template. Rapidocs collects all the information required for a legal document through a step-by-step question-and-answer process and then produces a completed version of the applicable form. It uses a user-friendly application-programming interface to connect with its own document management system so that it can generate files that are small in size and encrypted for maximum security.

There are two versions of Rapidocs — desktop and web browser. The web browser version enables the user to access the system through the web and to generate documents through the web browser rather than on the hard drive. Documents generated in that way cannot be saved to a local hard drive, so once the web browser is closed all of the data is lost. The web-based system is likely to appeal to programs running public access computers where it would be inadvisable for users to save their files onto the hard drive, such as battered women's shelters that have particular privacy concerns or other organizations that do not have the infrastructure to run the desktop version.

The free but password-protected system offers more than 100 Maryland-specific legal forms and documents. Users register with the website and receive a password after the administrators verify that the user works for an organization that is a member of MLAN or is working on an assignment from an organization that is a member of MLAN. The free service is also available to pro se litigants who meet the Maryland Legal Services Corporation's financial eligibility guidelines.

All other users can access these Maryland legal documents for a fee from MyLawyer.com, an Internet legal information services company that licenses Rapidocs. The available forms cover a diverse range of legal issues typically faced by pro se litigants, including child support, landlord-tenant, divorce, living wills, domestic relations, and debt collection.

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BenefitsCheck*Up* — Helping Seniors Access the Support They Need

Millions of older Americans are not receiving benefits for which they are eligible, such as Food Stamps, pharmacy assistance, and in-home services. The National Council on the Aging (NCOA) is addressing this problem through an innovative website, BenefitsCheck*Up*.

This confidential, on-line service contains a straightforward questionnaire that runs a comprehensive search through over 1,000 different assistance programs in all 50 states and the District of Columbia. In less than 15 minutes, the answers from the questionnaire are used to figure out what benefits the person qualifies for and how they can claim their benefits.

Through BenefitsCheck*Up*, NCOA hopes to serve five to 10 million seniors over the next four years, linking them with essential services they are currently not accessing. Since its launch in June 2001, nearly 500,000 people have already used the site. One caregiver commented that because of BenefitsCheck*Up*, he discovered that his mother was eligible for elderly pharmaceutical insurance coverage. His mother is now "paying about $40 per month for medications that had previously cost her over $200."

Before completing the confidential questionnaire, the user is instructed on what information will be required to complete the forms (such as employment history, income and asset assessments, and estimates of current expenses). The questionnaire is composed of a series of user-friendly screens into which users input information into data fields and select answers from given options. The questions on later screens are based upon answers to questions from the initial screens. Help buttons next to most questions provide further explanation.

After finishing the questionnaire, users can review their answers and confirm their eligibility outcome on an overview page. The site generates an individualized report at the end of the session with details about the programs for which the user may be eligible, including relevant program contact information and directions on how to sign up for the programs.

In order to make the on-line service available to as many seniors as possible, NCOA has created an organizational edition of BenefitsCheck*Up* for community service organizations, since a significant portion of seniors do not have access to computers or the Internet. NCOA also has created a Spanish version of BenefitsCheck*Up* for seniors in Colorado and plans to launch a nationwide Spanish version by 2003.

tomized for unique situations.[18] The templates reside either on the program's LAN or on the Internet to be used by anyone with permission.

One important benefit of document assembly software programs is that by standardizing documents, they can establish a standard of quality if the templates are created from the very best examples of these documents. Furthermore, changes in procedure or law and other changes can be incorporated into the one version of the document in the system far more easily and reliably than if all advocates had to remember to make the same changes on their own hard drive when re-using old documents.

Similarly, automatic calculators walk advocates through the process of calculating child support payments or determining eligibility for public benefits, earned income tax credits, and other programs that rely on complicated formulas, providing results that are always accurate (assuming the inputs are accurate). Again, legislative or regulatory changes can easily be incorporated into

18 Until recently, most legal aid organizations relied on word processing programs for frequently used documents. The advocate or assistant would cut the previous names and information out of the document, substituting new information. However, this process can result in numerous errors, sometimes prejudicial ones, especially in longer documents. The document assembly software generates a fresh document for each case. Intake information already entered into the computer can automatically be inserted into the template, without any additional work.

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the formula, preventing advocates from relying on outdated information.

Remote Representation

Programs can also use new computer and telephone technologies to bring lawyers and clients together more easily. In large programs, in rural areas, and in working with special populations such as homeless people or prisoners, lawyers often have to do much of their job out of the office. Cell phones, laptop computers, and personal digital assistant devices (PDAs), such as Palm Pilots, enable attorneys essentially to carry their office with them.

A relatively new and promising technology is wireless Internet access through laptops and PDAs. The Internet enables advocates to access their case management systems, enter intake information, conduct on-site conflicts checks, perform quick legal research, and interact with others back at the office or elsewhere from anywhere — a homeless shelter, a community center, or even from court — as well as from home.

Another technology with many useful applications is videoconferencing. Initially, advocates saw videoconferencing as a technology that would enable them to avoid traveling to meetings or trainings. Then, a few visionary advocates realized that videoconferencing could enable attorneys to have face-to-face meetings with clients — without being in the same place. Thus, clients who could not get to the office because of distance, disability, child care responsibilities, or other complicating factors could receive the same representation as anyone else.[19]

Currently, there is much interest in building more videoconferencing capacity. However, these projects face numerous obstacles, one major one being that good videoconferencing requires multiple ISDN lines, other high bandwidth options, or a dedicated wide-area network (WAN). These options are expensive and unavailable in many parts of the country (often the rural areas that most need this service are in geographical regions where the services are least likely to be available). Additionally, clients usually need on-site assistance to use these systems, but libraries and other community access points that might be able to provide such assistance are facing budget crises and staff reductions in the current economic climate.

Staff and Volunteer Recruiting

The web and e-mail constitute enormously powerful and efficient tools for recruiting both staff and volunteer attorneys. On the staffing end, programs can post job announcements on numerous law- and public interest-oriented job sites, where candidates from all over the country (and indeed all over the world) can see them. Most of the public interest-oriented sites are free both to employers and job seekers.[20] Job seekers can also use the Internet to find online information, such as a program website or press coverage about the program in which they are interested.

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19 The first major effort to institute videoconferencing was initiated by Florida Rural Legal Services (FRLS), which received a grant from the Department of Commerce to create the system. FRLS attorneys, who represent clients from much of Florida's Everglades and other rural portions of the state, would regularly drive for hours to reach clients. The videoconferencing program, called ICON, enlisted local libraries as partners, and created video stations in the libraries, through which clients could call up the FRLS office, get an attorney, and have a video conversation. The stations included fax machines to transmit important documents and the libraries provided trained staff assistance on-site. This system obviously saves enormous amounts of unproductive attorney driving time and gives the clients much easier access to their attorneys.

20 The Project for the Future of Equal Justice created a job listing area on the Equal Justice Network in 1998, which became the largest source of national legal aid job listings in the country. That service can now be found at http://www.nlada.org/Jobs.

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Using New Technology to Assist Victims of Family Violence and Others in Maine

Pine Tree Legal Assistance (PTLA) in Maine is building an extensive statewide videoconferencing system for the state's equal justice community, with a special focus on assisting victims of family violence.

The system includes:

- Videoconferencing between PTLA's six offices around the state for meetings, conferences, and training;
- Conferences with the judiciary and court administration through a terminal in the State Justice Center;
- Access from pilot family violence centers (shelters) to any of PTLA's offices;
- Access from pilot family violence centers to pilot courts for remote, ex parte court hearings on requests for preliminary protective orders;
- Access to American Sign Language interpreters in Portland from any of the participating locations; and
- Access for clients from remote, rural locations around the state to PTLA offices and advocates, using the more than 100 already installed videoconferencing units in medical clinics and centers in the most rural and remote areas of the state.

PTLA reports that, unlike other newly introduced technologies, videoconferencing has been enthusiastically embraced by its advocates and staff and by clients who have used the system. In addition, the partnership with the "telemedicine" community has enabled both communities to expand their reach.

This innovative program is funded by a Technology Opportunity Program grant from the National Technology Infrastructure Administration of the U.S. Department of Commerce, a Technology Initiative Grant from the Legal Services Corporation, and other smaller grants.

Pro bono recruitment also has been transformed by the Internet. Sites can aggregate information about available cases with information about legal aid providers, legal research and reference information, sample forms and pleadings, message boards, and other helpful information. Aspiring pro bono volunteers can also access information about their local legal aid providers through any number of websites, including statewide equal justice sites, the NLADA site, or bar association sites.

Perhaps most useful is the ability of legal aid providers to distribute information about pro bono opportunities by e-mail. With one touch of a button, the program can distribute this information to every law firm or lawyer of which it is aware, and within a firm, the recipient can then forward the e-mail about the opportunity to all the other lawyers in the firm. Four years ago, most pro bono referral was still done by phone, with the most technologically advanced programs faxing a list to firms (see box p. 19).

Increasing Access to Assistance and Information for Advocates

New information technologies provide many opportunities for equal justice advocates. In the past, legal aid attorneys had limited opportunities to keep up with breaking developments in the law, learn new information or skills, or collaborate with others around the country. Legal research was conducted using books, many of which are expensive, so many offices had

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Pro Bono Net and Corporate Probono.net — Providing Opportunities and Support for Volunteer Attorneys

Pro Bono Net

Pro Bono Net is an organization that specializes in creating websites to support pro bono and legal aid advocates and their clients. Pro Bono Net supports two different type of web templates.

- www.probono.net provides on-line tools to support both full-time poverty law advocates and pro bono attorneys. Password-protected practice areas organized by legal topics allow users to share information on-line. The tools on this platform include on-line libraries of training materials, model pleadings and links, a current news page, a training and events calendar, postings of new cases for volunteers, and member-driven e-mail lists.
- www.lawhelp.org provides information oriented toward the general public and people searching for assistance with a legal problem. The resources on this site include referrals to legal aid and public interest law offices, community legal education, pro se materials, and links to social service support.

Private attorneys can use www.probono.net to find pro bono cases and to find background information and sample documents to help them provide better legal representation once they have taken a case. Deena Merlen, a third-year corporate associate at New York's Debevoise & Plimpton, began work on a political asylum case after another Debevoise attorney noticed it in the "new matters" section of Probono.net. "The first thing I accessed was the country report," she says. "Before I even interviewed my client, I wanted to become more educated about China. There are case resources and summaries — it's invaluable to someone like me with little background in the area — I feel very well supported," she says. "Future generations will never have to work on pro bono cases without a resource like Probono.net."

The www.probono.net and www.lawhelp.org sites were used to disseminate information to clients and attorneys immediately following the events of September 11. Using the technology that was already in place, staff members and others were able to post relevant training manuals on www.probono.net immediately after their creation and send e-mails containing deadlines, application procedures, and news to 2,800 volunteers. Similarly, www.lawhelp.org posted a September 11 resources page aimed at community members.

Both site platforms employ ColdFusion technology and a SQL database. They are highly flexible and customizable, allowing easy addition of geographic areas, security levels, administrative responsibilities, substantive practice areas, and types of content. This technology allows host organizations to input and update content in a decentralized manner without the need for a webmaster or significant technical staff.

Corporate Probono.net

The CorporateProBono.Org (CPBO) website, located at www.corporateprobono.org, is designed to help in-house corporate counsel find pro bono opportunities and information. From the homepage, a user can search through the profiles of more than 150 CPBO pro bono providers, with the option to search by categories of interest or location to narrow the results. The CPBO site also helps organizations with pro bono programs attract volunteer attorneys by posting program information to the CPBO databases.

The site's virtual library contains training manuals, sample policies, monographs, and memoranda on a wide range of pro bono topics, along with corporate pro bono news and an events and training calendar. It also includes information on more than two dozen in-house corporate pro bono models, including sample policies and newsletters.

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libraries with limited resources and out-of-date materials. And, in 1997, the main sources of substantive information — the "support" centers funded by LSC — had their legal services budgets eliminated. The budget of the *Clearinghouse Review*, a journal produced by the National Center on Poverty Law that reports on cases and legal developments around the country, was also severely cut.[21]

Now, attorneys and other advocates can conduct sophisticated legal research, stay abreast of breaking legal developments, communicate and collaborate, obtain training, and access numerous sources of legal and policy expertise. National centers of substantive expertise can share their information using the web and e-mail even without line item funding for legal services. *Clearinghouse Review* is on-line as well.

Research

It is not unique to legal aid that the Internet provides advocates with a wealth of information and expertise that could never before have even been imagined. The web already is beginning to transform legal practice — much as it has medicine — by providing legal consumers with vast informational resources that previously were available only to licensed professionals.[22] But for legal aid, which has always faced resource constraints not faced by private sector law firms, the web has been particularly valuable.

Legal Research and Public Information

First, the web provides numerous resources to conduct free legal research. All federal opinions are now published electronically, and most states publish at least the opinions of their highest court. Many federal, state, and local agencies publish administrative decisions and important regulatory information. Law review articles are available on-line, as is the Martindale-Hubbell lawyer directory. Fee-based legal research tools, such as Lexis and Westlaw, are accessible through the web as well, and similar, although less robust, electronically published information is available on CD-ROM for a much lower cost.[23]

The web also enables advocates to overcome obstacles of limited time and library resources for factual research, such as information about particular corporations, industries, or geographic locations. Searching for information about opposing parties and other involved persons is greatly simplified.

Additionally, the number of databases offering pertinent information on housing, health, and myriad other issues of importance to poverty lawyers continues to grow.[24] Organizations provide automatic updates by e-mail. Advocates can instantly access information about government programs and other social services available to their clients. And, as court files become increasingly accessible electronically, advocates will be able to learn far more about other litigation pertinent to their matter.[25]

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21 Poverty work relies heavily on local trial court opinions, decisions of administrative judges, and other opinions not published in book form. Prior to the Internet, the *Clearinghouse Review* was the only publication that routinely covered this kind of legal development, and it did so on a somewhat irregular basis depending on the information attorneys submitted.

22 See Susskind, Richard, *The Future of Law*, Oxford: Clarendon Press, 1996.

23 A few years ago, LSC negotiated a discount with Lexis that makes Lexis research affordable for most LSC grantees, and NLADA successfully sought to have this agreement extended to all providers of free civil legal assistance.

24 See, e.g., Neighborhood Knowledge Los Angeles (http://nkla.sppsr.ucla.edu/index.cfm).

25 The availability of case files on the web also poses significant risks to litigants, especially poor ones, who could have this information misused against them in other contexts. At present, most courts are publishing only civil cases rather than criminal ones, but caution is still warranted.

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The National Legal Aid and Defender Association and the National Center on Poverty Law Provide a Coordinated System of Information for the Equal Justice Community

The National Legal Aid and Defender Association (NLADA) site, launched in October 2001, features separate sections for civil advocates and public defenders as well as a special section for NLADA members. It includes information on training, jobs, government affairs, delivery systems, state justice communities, and NLADA publications. It also provides background information for the media and other visitors.

Equal justice advocates can submit documents into NLADA's "document library" (database) using a simple form accessible through any web browser. Thus, no knowledge of HTML or any other specialized knowledge beyond typing is necessary to post a document to share with the community. Community members also can post information directly to the site's jobs database and training calendar, and the information is immediately viewable.

The NLADA site uses an open-source software platform called Zope. Zope is free to anyone and can be downloaded from the Internet. NLADA is willing to share the "source code" of the new site (i.e., the programs, written in Zope, for the various functions) with anyone in the equal justice community. It is currently sharing code with the Center for Law and Social Policy and Pine Tree Legal Assistance in Maine, which has helped keep development costs down for both sites and facilitates collaboration among sites.

The National Center on Poverty Law's (NCPL) site features the Poverty Law Library (with nearly 6,000 full-text case documents available for download), *Clearinghouse Review* articles from 1990 to the present, and over 1,000 links to other sites of interest, all organized by substantive topic. It also includes a weekly poverty law news roundup, a collection of substantive news items, and the Legal Hotline Technical Assistance Project, which includes client and attorney versions of frequently asked questions and self-help guides for every state.

Through a special personalization feature, advocates can select up to five practice areas that will then be used to customize the news, cases, and other information appearing on the homepage. Users also may sign up to receive relevant cases and news by e-mail. The site uses ColdFusion and Microsoft SQL Server.

Equal Justice Information

Legal aid programs are increasingly using the web to disseminate their own information by developing their own websites or participating in statewide sites. In 1996, only a handful of programs had their own website. Today, hundreds of programs do. Some of the sites are highly sophisticated, featuring back-end databases, interactive features, and rich resources.[26] Moreover, by the end of 2002, LSC projects that 47 states and territories will have statewide sites.

Legal aid sites, particularly the statewide ones, provide many different resources for advocates, including brief banks, training calendars, practice manuals, research materials, useful links to other sites, and news bulletins on legal and other developments. They also enable programs to circulate pro bono opportunities and enable pro bono volunteers to locate cases of interest. Increasingly, sites are planning to build spaces where advocates can collaborate, share documents, and meet on-line.

The national support community is also developing a coordinated system of useful resources, with the National Center on Poverty Law expanding its role as the nation's poverty law library and

26 See, e.g., Pine Tree Legal Assistance (www.ptla.org and www.helpmelaw.org); Legal Aid Foundation of Los Angeles (www.lafla.org); and Northwest Justice Project (www.nwjustice.org).

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NLADA providing information on all aspects of legal aid delivery, funding, training, and jobs. Specialized organizations, such as the former national legal services support centers, publish opinions and developments in their areas of expertise, and a website focusing specifically on legal services and technology has recently been launched. In addition, through the efforts of a small group of legal aid web experts, the legal aid community also is developing a common indexing system and "standards" that will ultimately enable all participating sites to function as one giant information pool, allowing an advocate to search them all at one time.

Training

The legal services community is just beginning to use technology-based tools for increasing advocate access to training. Already, a number of training manuals are available on the NLADA site, the Management Information Exchange (MIE) site, and state websites, as well as other information related to training, such as national and state training calendars, registration information, agendas, and syllabi. Through NLADA's partnership with the Practising Law Institute (PLI), CD-ROM training disks are available at low cost for legal aid attorneys.

While streaming video is not yet being widely used, the American Bar Association (ABA) and an ever-increasing number of state bars now offer on-line continuing legal education to their bar members, and the use of video and related technologies will continue to grow. PLI also recorded two workshop sessions at the 2000 NLADA Substantive Law Conference, which were available for viewing on the PLI website after the conference. Committee on Regional Training,[27] LSC, and MIE have begun to use WebEx, a web-based system that enables a large group of participants to talk together while using their computer monitors to view presentations or to work on documents or other materials as a group. In addition, the LSC Technology Innovation Grant (TIG) program has made several grants to experiment further with WebEx and other web-based training materials.

Communications and Community

The other Internet application that has changed the way lawyers work is e-mail. E-mail enables advocates to communicate and collaborate easily, inexpensively, and frequently.

One of the most popular e-mail-based resources is the use of e-mail lists (also known as "listservs" after a popular brand of list software). These are essentially distribution lists that enable large groups of people to engage in an ongoing electronic conversation. A query, comment, or news item can instantly circulate to all the subscribers on the list for free, and list members can then reply to the entire group just as easily.[28]

Even in a one-to-one context, e-mail has changed the way attorneys practice law. Many courts are beginning to experiment with electronic filing, done either through a website or by submitting documents through e-mail. For example, the Pine Tree Legal Assistance Technology Opportunity Program grant includes electronic filing of protective order applications with the courts. Advocates in different parts of the country can keep in close touch, groups can collaborate more easily,

27 A training program for legal services staff conducted by a consortium of West Virginia, Ohio, and Michigan.

28 There are national lists of advocates working in the same area of law (such as housing or consumer law); lists for managers, litigation directors, development directors, and webmasters; lists for those interested in different aspects of legal aid delivery; state and local lists; and lists run by individuals or organizations outside of the legal aid system that relate to poverty law. Most advocates belong to at least one such list, and many belong to multiple lists.

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Using E-Mail List Technology to Exchange Information and Create Community

With 367 current members nationwide, the Legal Services Technology (LS-TECH) e-mail list serves as the focal point for technology discussion in the legal services community. Over the course of its lifetime, thousands of messages and discussion threads have included virtually every technology topic of current interest in the community.

Some of the more recent topics have been: accounting software, case management using virtual private networks (VPNs), discount software, technology grants, virus threats and virus protection, website legal disclaimers, technology planning documents, bandwidth issues, telephony, computerized intake, case management, word processing software, technology job descriptions, electronic court filing, conversion of PDF files, videoconferencing, technology conferences, statewide websites, digital divide issues, flowchart software, national indexing standards, conflicts of interest, personal digital assistants, technology use policies, e-mail software, on-line calculators, interactive forms, web-based document assembly, free color printers, technological assessments, voice recognition software, application service providers, and many more.

Members of the list (which is free and open to anyone in the equal justice community) can use it to seek advice from other programs on any topic related to the use of technology in legal services. Frequent contributors to the list have found that the list is a way to exercise national leadership regardless of what a person's title is at his or her own office or whether they can afford to attend national conferences. To join the LS-TECH e-mail list, go to www.lstech.org.

and even scheduling is simplified. Advocates can even sign up with certain organizations or websites to have information "pushed" into their e-mail inbox, arriving in the morning to a report on any new poverty law information published to the web the night before.

Improving Client Education, Preventing Legal Problems, and Assisting Pro Se Litigants

Beyond improving office and service delivery functions, new technologies can be used to communicate directly with low-income people. Programs can use websites and e-mail to educate clients and communities about their legal rights, help them to identify legal problems that require assistance, help them find assistance, help them proceed on their own if they cannot find representation, and even provide information that enables them to avoid legal problems in the first place.

Information for Low-Income People and Communities

Until recently, most legal services outreach and community education programs were necessarily limited by attorney time and resources, as well as by the ability of potential clients with child care needs, onerous work schedules, or disabilities to access the programs or information. While programs have always distributed printed brochures and other forms of written information, distribution channels are spotty and information becomes outdated quickly without the resources to update and publish new ones regularly.

Now, legal aid programs are increasingly producing information for clients in an electronic form, including posting information and documents on the web. Particularly as states begin to collaborate on more statewide or regional websites, programs are beginning to divide responsibility for this information among themselves, thereby reducing the burden on any one

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program to produce a full range of information and enabling the program to concentrate on improving and updating the portion of the information for which it is responsible. Information that is posted on a website can also be hyperlinked to other sources of information and assistance for clients, enabling any one program's website to lead users to a great deal of content.

Certainly, low-income people will continue to lag behind in Internet access, and effective use will be difficult for clients with low literacy skills, little computer exposure, or mental illness. However, information on the Internet can reach these individuals through numerous intermediates: friends, relatives, social service workers, librarians, teachers, and even clients' children who use computers at school. For anyone trying to help someone with a legal problem, having reliable information easily accessible is critical.

Many types of information can be disseminated through the Internet. Potential clients can learn about legal aid programs and other sources of free or affordable legal assistance without having to travel from home or make several (sometimes dozens) of phone calls to find the right provider. Statewide sites are creating systems through which potential clients can type in their zip code or click on their county and receive a full listing of local services, complete with web links to information on those services.

I-CAN! — Giving Low-Income People High-Tech Access to Justice

The Legal Aid Society of Orange County (LASOC) and the Superior Court of Orange County, California, have joined to overcome the procedural hurdles in the legal process by creating I-CAN!, the Interactive Community Assistance Network. I-CAN! is a free kiosk and web-based legal services system that educates users about the law, provides court tours, and walks them through completing and filing court forms.

Kiosks and workstations with I-CAN! are located at courthouses, legal aid offices, and community centers where lower-income people already go to initiate legal proceedings. This technology solution improves access to the judicial system by allowing litigants representing themselves to file more complete pleadings and helps prepare them for their court appearances.

I-CAN! currently supports eight different modules with up to 21 forms for various civil matters, including forms for domestic violence, paternity petitions, and waivers for legal filing fees. By using video and touch-screen technology, the kiosk version of I-CAN! is more readily accessible to users with literacy problems and those who have little experience with computers. In addition, instructions are available in English, Spanish, and Vietnamese.

Self-represented litigants may either use the touch-screen kiosk feature or the keyboard to progress through the application. Above the area where information is submitted, most screens play a brief video explaining the options below. In addition, there is a Help Center button on each page that provides additional assistance promptly. Many of the modules also include separate video components with court tours and safety tips.

When the user is done, I-CAN! generates the original forms to be filed with the court, as well as an additional copy for the user. It also generates a missing information page to remind users to fill in blank fields and an instruction page with general information about filing and serving the pleadings. Since judicial forms must be submitted in English, any non-English information input into fields is printed on a separate page to be translated and written into the form.

I-CAN! is available for free to courts, legal services programs, and their service partners, and it may be customized for use outside of the Orange County service area. More than 6,000 users have already initiated court actions through I-CAN!

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Community Self Help Centers — Extending the Reach of Legal Services Programs

AARP Legal Counsel for the Elderly (LCE) has initiated a project to create "self help" centers in low-income communities. The centers have four main goals: (1) to give legal services programs a physical presence in many low-income communities without incurring substantial costs; (2) to help clients answer many of their legal questions and resolve some of their legal problems; (3) to empower the community to resolve certain systemic problems; and (4) to use a new resource — non-attorney volunteers — most effectively.

The centers use non-attorney volunteers to navigate a specially created website with information on the various types of legal problems that older people most frequently encounter. The volunteer then prints out the relevant information and explains it. Volunteers print self-help guides along with a wide range of documents that people can use to resolve their own problems. They can also help complete web-based public benefit eligibility check-ups and application forms for government services, and help people obtain copies of vital records. If the volunteer cannot help, the person in need is given priority access to LCE's legal hotline from the self-help centers. The website also has a list of agencies to which clients can be referred for other services.

The self-help offices are typically located in one or two offices of a local community agency or church, where people often go for help anyway. The cost of the office is limited to telephones, an Internet connection, and space for tables and chairs, computers, and a printer/scanner/copier. Some agencies provide space rent-free. Volunteers are supervised on-site by a paralegal, and LCE is currently testing whether the volunteers can be supervised remotely via telephone and e-mail by staff located at LCE's headquarters in Washington, DC. LCE also plans to test assigning pro bono attorneys to the offices to address systemic problems encountered by these communities.

In addition to educating clients and communities about resources, the Internet can also provide people with information about their legal rights and about how to solve legal problems on their own when they are unable or unwilling to obtain an attorney. At the most basic level, pro se brochures and manuals can be posted on websites, which is an efficient distribution and production mechanism.

Moreover, the potential of web technology exceeds simply improving access to what otherwise might be available in print. Computers can help pro se litigants create attractive, properly formatted, and persuasive court forms and pleadings. Computerized templates can use branching logic to take clients through the process of analyzing their case and providing the appropriate information to the court. Video screens can be used to show clients how to navigate through the courthouse, or even how to present their case. Audio files can present information in spoken form for clients who can't read (due to illiteracy or disability) or whose language is not a written language (such as Navajo). These programs can be made available at courthouse kiosks, libraries, and anywhere a client can obtain access to the Internet.

As noted above, it will also be important to target these tools toward social workers, librarians, teachers, and the many other people who often find themselves providing services to low-income people. For example, workers in domestic violence shelters can use these computerized modules to help battered women prepare the pleadings necessary to obtain court orders of protection from their batterers. Formal partnerships and training programs for these intermediaries are most useful.

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Hotlines

States and individual programs are increasingly providing low-income people with a "hotline" they can call for legal assistance. In some cases, these hotlines provide telephone advice, referral, and perhaps brief services to a client; in other cases, the hotline also can do intake for one or more local legal aid programs.

The increasing popularity of hotlines is made possible almost entirely by new technologies. Sophisticated telephone technologies help large numbers of callers reach legal assistance as efficiently as possible, with an eye toward minimizing hold time. These phone technologies can even enable the operation of "virtual hotlines," where the centralized system takes calls and directs them to attorneys or intake workers in many different programs or even to advocates working from home.

In addition to telephones, computerized case management systems allow for easy tracking of clients and conflict checks, a need that in previous times could have rendered providing immediate advice by telephone impossible. These systems also enable hotline workers to carry large case loads, work part time, and work in remote locations, because they keep all the case notes and pertinent client information in a searchable database that can be made accessible from anywhere.

At the same time, knowledge management technologies (web-based or internal) can provide hotline workers with a broad range of information at their fingertips, which can even be searched during a short phone call. Referral information, substantive law, and frequently asked questions are all categories of information that can be contained in a knowledge system used by hotline workers.

Recommendations and What You Can Do

Despite the progress the legal aid community has made in harnessing the potential of technology, the road ahead still holds many challenges. Based on our learning over the past four years, the Project makes the following recommendations for future work. Within each recommendation, we have suggested possible roles for different players in the equal justice community. At the end of the section, for purposes of clarity, we repeat this information broken out by role.

1. Broaden the base of funding for technology-related work.

The organizations, government programs, and individuals that support legal aid can make an enormous difference in creating a strong technology infrastructure. Regardless of substantive mission, every funder should be able to fund the technological infrastructure required for innovative projects.

Funders can underwrite technology-based special projects that relate to their grant priorities. They can also support the ongoing technology-related costs of substantive projects and operations. Perhaps most important, because it is the type of funding that is hardest to find, funders can support replication of successful model projects rather than supporting only model or pilot projects.

As in other efforts, every part of the community needs to become involved in broadening the funding base. The equal justice community can help itself in a number of ways, including:

- Asking funders to support the entirety of a project, including its technology-related costs;
- Seeking support specifically for technology, including both in-kind donations of hardware, software, or technical assistance and direct funding;
- Providing the funder community with information about the integral role that new technologies play in our service delivery, including evaluation results and compelling client stories;
- Stepping up our involvement with the technology world outside of legal services to identify new potential funding sources; and
- Aiming to replicate existing successful models as well as to create new pilot projects.

2. Work on substantive issues at the intersection of technology policy and low-income communities.

Equal justice advocates are now poised to take on the substantive issues that arise as a result of the digital revolution — Internet access, electronic consumer transactions, data and identity privacy, creation of relevant content, use of technology by government and service providers, and infrastructure "redlining" — through litigation, advocacy, education, and partnering with other organizations to ensure that new technologies do not become just another layer of complexity and discrimination that our clients have to negotiate.

One important area of work is the use of new technologies by federal, state, and local government agencies. Most federal agencies and many state governments are beginning to move their entire benefits structure on-line, as well as other key government services. For many clients, being able to apply for benefits or

obtain other government services on-line at any time of day or night will be a huge advantage.

At the same time, we have to ensure that poor people are not disadvantaged by this development, which means government websites must be built in ways that facilitate usage by people with limited literacy and language skills, physical disabilities, or lower educational levels. Services must also remain available to those without web access (for some people, the obstacle of the already challenging and complex process of application will be compounded by adding the need to use the Internet).

There are also information-age threats to low-income people embedded in ordinary transactions and legal matters. For example, through the Internet, landlords and other merchants now have lower-cost and much faster access to credit reports and other forms of personal information related to finances or even family matters, and they can potentially use this information to discriminate against our clients. This same easy access to personal information is available for use and abuse by opposing parties in divorce and custody proceedings. While some consumer advocates have become involved in Internet privacy issues, this area of the law would greatly benefit from the participation of more advocates who represent the particular interests of lower-income people.

Another looming issue is that clients who do have access to the Internet can enter into electronic transactions where the paper trail may be close to nonexistent, providing little if any consumer protection. The danger of consumer fraud is enhanced by the recent passage of federal and state legislation permitting people to "sign" legally binding contracts over the Internet. Legal services advocates, who are experts in assisting low-income individuals with consumer problems, are ideally situated to learn how to reduce the threat to their clients posed by these new technologies.

Additionally, clients and low-income communities now face new possibilities of discrimination based on place. For example, rampant redlining is now occurring in telecommunications, as carriers neglect their responsibility to provide broadband services to inner city neighborhoods, less affluent suburbs, and rural areas. Working to prevent broadband redlining is a natural extension of traditional legal services utilities work to help obtain basic telephone services for low-income neighborhoods and rural communities, many of whom still lack such access.

3. Provide community legal education and assist pro se litigants.

New technologies can provide new ways to assist low-income people attempting to solve their legal problems on their own, as well as to help people avoid legal problems in the first place.

At present, a majority of states already have or are building websites containing information useful to low-income people and communities. This information can include self-help material for people who either cannot find an attorney or who wish to proceed on their own for another reason, or to help people get information that can help them prevent legal problems. Although many clients may not themselves be able to access the Internet, this information can also be used by the many other service providers with whom clients come in contact, such as social workers, health care providers, librarians, teachers, job center personnel, and other intermediaries.

To take full advantage of legal information on the Internet, the legal services community might consider providing users with a single entry point to

the information (such as a national pro se "portal" site), and running a public awareness/branding campaign to alert the public to the existence of the site and to brand this information as a key source of reliable and accurate information designed specifically for low-income people.

We also can continue and intensify our work to design interactive modules in all areas of law that enable clients either to access information about the process or the subject matter or to prepare forms and pleadings. These modules can be accessible both through the web and at the courts. Work in this area will include new learning around artificial intelligence. Partners should include the courts, social service providers, and others who work regularly with low-income people, as well as legal aid programs, pro bono programs, and hotlines.

In addition to involving funders, program managers, advocates, and support organizations, low-income people and communities themselves need to be centrally involved to design a useful and robust system. While it can be difficult to effectively involve community members in a planning process, it can be done if developers make it a priority and if funders and managers demonstrate that they value the input.

4. Create a culture of information sharing.

The remarkable technology of the Internet is only as valuable as the content it contains. In encouraging more people to take advantage of web technology, it is essential to ensure that the content they want — and, even more important, the content they need but did not imagine was available — is in fact available.

There are three main methods for increasing the amount of content available to advocates and clients. The first and easiest is simply facilitating the location of already existing content. This type of work includes providing annotated links to important and useful sites, creating portal sites[29] for certain categories of information, and creating specialized search engines that only search specified sites.[30]

The second method, which is the one currently most widely used in the equal justice community, is the staff model of making content available. In this model, organizations create websites, and the organization's staff (or volunteers specifically assigned to the task) enter information onto the site. For example, the staff of the National Center on Poverty Law collects information on important legal services cases either from publicly available sources or from advocates themselves, converts this information into digital form if it is not already converted, and then loads it on the site, at www.povertylaw.org. Most program sites, state and national support sites, and other equal-justice-related sites have relied almost entirely on staff or dedicated volunteers to put content on their sites.

The third method is when all members of the community take individual responsibility for contributing their own work product to the digital collection. This is the only method by which the ultimate value of the web can be realized, yet it requires both the correct technological infrastructure and a sea change in advocate culture. Technologically, it requires that websites be able to accept contributions from individuals without requiring them to have specialized technical

29 A portal site is the name for a website that aggregates other web resources, serving as an entry point for a particular topic area or group of users and helping them find their way to other web resources available on the topic.

30 One of the early examples of a specialized search engine was created in 1998 by HandsNet. This search engine, called WebClipper, searched a small universe of human services sites that had been approved by substantively knowledgeable staff as sources of reliable, up-to-date information.

knowledge. An increasing number of these sites are already being constructed, including the NLADA site, the National Center on Poverty Law sites, and the numerous statewide websites being constructed by Probono.net and Kaivo.

In terms of culture, it requires that every advocate consider him or herself to be a crucial part of the community knowledge base, and to take that responsibility seriously by contributing work product into the database. To achieve the true potential of the Internet, members of the equal justice community will need to share information both horizontally across program and state lines and vertically with clients, state and national support organizations, and funders.

Every member of the community has a role to play in creating such a culture shift. Program directors and managers can play a large role by sending the message that contribution to the knowledge base is a critical part of everyone's job. Job performance reviews and job descriptions can be clear about this responsibility, and staff can be required to provide information about what they have contributed. Providing top-quality and ongoing training to staff on how to submit information is also key.

Web developers also have a major role to play. One role, of course, is to create more user-friendly interfaces. An even more important role is to develop software programs that work with individual users' personal computers or with program case management systems to facilitate easier document submission.

Finally, funders can encourage grantees to ensure that all staff and websites adhere to the value of information sharing. The community as a whole can work to encourage this value by constant repetition and exhortation at meetings and trainings and in articles and other written materials.

5. Develop better and more integrated technologies and applications.

Even as much of the community focuses on integrating current technologies into program missions, legal services technologists and developers can focus on the future.

One challenge for the next decade is to integrate the technologies already being used into seamless systems:

- Integrate case management systems, document assembly, litigation support, accounting, and other relevant software into one package to promote ease of use and reduce unnecessary keystrokes.
- Integrate document assembly programs and web-based modules with court systems, using electronic filing, docketing, and other software that streamlines the relationship between litigants and the courts.
- Integrate telephone advice with web-based materials as a way to provide better advice and to give clients better resources for following up on the advice they receive.
- Develop systems that operate on common standards to promote interoperability among programs, so that, for example, every legal services provider in a state can share client information when appropriate without having to purchase the same case management software.

Along similar lines, data sharing and search capabilities across sites are also important, along with syndication (using content from one site in other sites) and other ways to share information among websites, because the Internet will be most useful if users can search relevant content seamlessly. Currently, a group of equal justice technology leaders (both programmers and non-technical

people) is developing interoperability standards through the mechanism of the Information Management Assistance Group (IMAG); this work needs to be continued and strengthened. This effort also needs support from funders, as it is currently an entirely volunteer-driven effort.

It will also be critical for funders to support early development and testing of applications, before their market potential is known. National and state support organizations might consider whether to hire in-house software developers to work on key projects, especially if the projects will not have broad markets to support them, rendering outside development unlikely. Program managers and other advocates also need to demonstrate that there is a demand for these products and that programs are willing to pay (in reasonable amounts, of course) for them.

Finally, the equal justice community needs to continue to stay abreast of new developments and breakthroughs in technology, including the subspecialties of nonprofit technologies, service delivery technologies, and legal technologies. There are many ways to do this, including reading trade journals (print and on-line);[31] participating in associations, organizations, and on-line communities; and attending conferences and trainings.

6. Make a higher commitment to technology on an organizational level.

Programs will be able to take the best advantage of new technologies if they think about budgeting for technology in new ways. Existing investments in technology can be leveraged considerably with better technology staffing, more experienced technology project managers, long-range technology planning, and additional training for users.

Most programs already have invested a great deal of money and time in their computer and telephone systems but are not using them to their full potential. Thus, while it is important to make sure technology is kept current to some extent, the way to make the technology investment go a lot further is to invest in staff support and end-user training. For example, every program, no matter how small, needs either in-house IT staff or an ongoing contract with an outside consultant who can fix problems immediately. If program staff cannot be confident that their computer system will not fail them at a key moment, they will never fully integrate new technologies into their practices.

Moreover, if a program does a lot of work on a website, a remote representation project, or any other project that is heavily technology-based, additional staff might be required. Technology project management skills are highly specialized, and even if the project is going to be managed by someone who is already on staff, that person will need professional training in project management. Furthermore, even dedicated IT staff will have different skills for different projects; a systems administrator has many different skills than a web content developer.

Good IT staff also can help ensure adequate training for users. Currently, while program staff receive initial training or orientation when the office installs a new system, few programs provide their staff with more advanced training. The few programs that do make more advanced training available often make it available as classes for which people can sign up.

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31 There are a wide variety of law and technology journals and magazines, some put out by commercial publishers and others by law schools. Also, technology-oriented magazines, such as *Government Technology*, are very useful.

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Moreover, IT staff can provide "just-in-time" training, which is training provided to an individual or small group at the time in their workflow that the training is relevant. For example, in a conventional training model, you might send your entire staff to training on Microsoft PowerPoint in a given month, whether or not they have an upcoming presentation to make. In a just-in-time model, you would arrange to train staff on PowerPoint on the day or week that they actually need to begin to put a PowerPoint presentation together for an upcoming engagement. Research indicates that adults learn better using the just-in-time model. Just-in-time training can also be facilitated by computer-based training modules and programs.

Taking full advantage of existing technology also requires programs to use their infrastructure for tasks beyond intake and service delivery. For example, the Internet can facilitate policy advocacy, media and communications work, fundraising, and distance learning. It can also help lawyers work more closely with other human services providers, thereby serving clients more holistically. Good technology planning can help programs use technology in a responsible and innovative manner.

The responsibility for using existing infrastructure to its full capacity largely rests on program directors and managers. These managers cannot do it alone, however. They require the support of their boards, staff, and especially funders. National and state support organizations also can play a key role in encouraging adequate training, and they also might be able to help programs learn how to hire IT staff (a very different process than hiring legal or administrative staff).

7. Evaluate the use of new technologies.

In addition to improving overall evaluation and data collection/outcome measurement practices in programs, managers can place a priority on evaluating the effectiveness of new technologies for service delivery and other program goals and ensuring that new technologies actually do help clients and communities.

There are two outstanding challenges to evaluating new technologies. First, we do not have adequate baseline data, metrics, and evaluation techniques for "traditional" delivery methods, without which it is extremely difficult to evaluate the impact of new technologies on program effectiveness. This problem also subjects "new" delivery mechanisms to a special level of scrutiny. Second, traditional evaluation methods are very difficult to use when the attorney-client relationship is more attenuated. Evaluating telephone hotlines is difficult, and evaluating client-oriented websites is even harder, as there is very little way to track outcomes for anonymous users.

Program directors and managers therefore will need to make project evaluation a very high priority. This effort will require the support of state and national organizations, as well as funders. The government, service delivery, and nonprofit sectors are increasingly performing evaluations and learning about how to improve evaluation methodology, and legal services providers need to be more involved with those communities. A lot of technology evaluation takes place in the private sector and in academia, and we need to find ways to become involved in those efforts as well.

In addition to undertaking self-evaluation efforts, directors and managers can commission significant studies from outside evaluators or

research firms or use them to refine metrics and methodologies. The best evaluations will pay attention to program operations quality as well as to client outcomes.

8. Work collaboratively to plan, execute, and support technology-based work.

The legal aid community can work better both internally and with external partners to use technology to improve services. State justice community planning efforts can include technology as a key area around which individuals and organizations collaborate. National and state justice communities can also consider ways to support technology efforts better, including the possibility of creating organizations or organizational functions specializing in technology. Examples of collaborative efforts are the Legal Services Technology Network (www.lstech.org) and the National Technology Assistance Project, currently being funded by the LSC TIG grant program. The legal services community is only beginning to experiment with capacity building in the area of technology, and these experiments need to be expanded and the support base for them broadened.

Moreover, legal aid technologists can not only learn from but also play key roles in the broader national nonprofit technology movement and in the field of law and technology. Legal services technologists and others interested can take more of a leadership role in groups such as the Nonprofit Technology Enterprise Network (N-TEN) and the Circuit Riders group (a group of technologists who work with nonprofits), as well as the ABA Law Practice Management Section and other legal technology efforts.

What Can You Do?

We highlight here some ways that different players in the equal justice community can facilitate the effective use of technology to serve clients and communities better. These are just a few suggestions, and certainly do not represent every possible action, but we hope these lists are helpful.

Program Directors/Managers

- Create a culture of information sharing: contribution to the knowledge base is part of everyone's job.
- Demonstrate demand for integrated technologies — have technology experts make technology work for your program.
- Encourage staff (advocates and other staff) to take the time to learn new technologies, and ensure sufficient training and IT staffing to enable them to use the technology infrastructure to capacity.
- Encourage staff, especially those who seem particularly adept at this work, to spend some time keeping abreast of new technologies and to take leadership roles at the state and national levels.
- Educate your board and funders about the important role that technology plays in allowing you to pursue your mission.
- Consider how new technologies can help you better collaborate with other legal services programs and social service providers.
- Pay attention to both beneficial and adverse impacts of information technology on your client community, and commit program resources to eliminating the digital divide.

- Regularly review and evaluate the efficacy of your technologies, using both self-evaluation tools and outside studies.
- Use the technology yourself, and don't rely exclusively on your IT staff to understand the systems in your office.

Advocates and Staff

- Use and contribute to collective knowledge bases — remember to share your work.
- Think creatively about technological solutions to problems you encounter at work, and tell your managers and IT staff about needs you identify.
- Take responsibility for understanding the software you use, and ask for more training if you need it.
- Use technology to connect with clients who have trouble coming into the office for one reason or another.
- Collect stories about ways in which technology has helped you help your clients, and share those stories with your managers and fundraising staff.
- When interviewing clients, probe for information technology-related obstacles they may be facing, and explore their interest in learning more about how to access the Internet and other technology-based systems.
- Consider how your clients could use new technologies to access information that would help them prevent legal problems or lessen their severity.
- Develop ways for clients you cannot represent to use new technologies to address problems on their own.

Technology Experts/IT Staff/ Web Developers

- Focus on user-friendly interfaces.
- Pay attention to how other staff work and build your technology program to suit office culture and operations.
- Develop shortcuts or automatic programs that help advocates submit information into knowledge management systems.
- Regularly check in with staff to ensure that they understand the software and are optimizing its use.
- Provide scheduled and just-in-time training for staff on all software and systems.
- Work to integrate your technologies to the greatest extent possible.
- Keep abreast of new technologies by reading journals, attending trainings and seminars, and networking with colleagues.
- Offer to assist directors and fundraising staff with the IT components of grant proposals.
- Help directors and managers design and evaluate delivery system components that use technology.

Clients and Social Services Providers

- Learn how to use the Internet and relevant websites, and then train other members of your community.
- Spread the word that computer and Internet literacy is critical to everyone.
- Provide active feedback to local organizations about how their technology-related efforts are working and how they could improve them.

- Volunteer to be on planning committees for websites, videoconferencing, and other technology projects.
- Talk to members of your community to learn about how technology is impacting them, and bring their stories back to the legal services advocates.
- Work on issues of technology and telecommunications policy to make sure your community is not left out of the digital revolution.
- Help create more access points for computers and the Internet in your community, including in social service agencies, churches, and community centers.

Funders

- Encourage grantees to participate actively in building the collective knowledge base.
- Support national efforts to create software interoperability standards.
- Provide specific funding for grantees to use for staff training to maximize the value of existing technologies.
- Use information technology in your own operations and participate in nonprofit technology networks.
- Foster interaction among grantees to enhance planning and creativity around technology use.
- Support ongoing technology-related costs of "regular" substantive work as well as technology-based special projects.
- Support replication of successful pilot projects and proven models.
- Seek opportunities to support projects working at the intersection of technology policy and low-income communities.
- Require rigorous evaluation of programs, including technology use, and consider supporting program efforts to obtain independent outside evaluation.
- Support efforts to provide unrepresented people and communities with high-quality self-help mechanisms that are adequately staffed and appropriately designed for a low-income audience.

National and State Support Organizations

- Provide the infrastructure for knowledge sharing and coordinate among organizations to ensure that all are both using and contributing to the knowledge base.
- Find ways to foster community among those working in your geographical or substantive area who are interested in the creative use of new technologies.
- Educate funders about the importance of supporting the use of technology for delivery, and share information with both funders and programs about interesting models and best practices.
- Research the impact of new technologies on the population you serve, and assist advocates in learning how to spot issues at the intersection of technology policy and low-income communities.
- Provide training and support for organizations to use and evaluate technologies.

Appendix: The Project for the Future of Equal Justice's Work on Technology Issues in the Equal Justice Community

Since 1997, the Project has been working in collaboration with OSI, LSC, the National Center on Poverty Law, the ABA, national and state support organizations, Probono.net, and many other partners to educate the equal justice community about new technologies and to promote experimentation with those technologies.

In this appendix, we set out some of the main components of this campaign to educate the community about technology-related issues. We have focused primarily on our own role and activities because that is what we are most familiar with, but we have tried to reference our main partners in these efforts.

We want to begin by noting that this effort has been highly collaborative, and no one organization or individual would have been able to accomplish as much without the synergy of the group. By collaboration, we are referring to numerous short- and long-term projects managed or "owned" by multiple organizations or individuals and to generous cooperation and consultation around work primarily managed by one particular organization or individual.

There is no getting around the fact that collaboration at this level of intensity is time-consuming and often frustrating, particularly in terms of interorganizational politics and funding issues. Our experience, however, demonstrates that this kind of collaboration is a strong force for change. It has been very important that the individuals involved in cross-organizational collaborative work trusted each other's personal dedication to the values of equal justice and better delivery of legal services and legal information.

The approach of the Project and other players has been multi-faceted. Objectives have included efforts to: educate and deliver information to managers and advocates; spur innovation and experimentation; evaluate new tools; and create a vibrant community of legal services technologists. We have pursued these goals through a variety of means, which we believe partially explains the progress we have made — it is likely that any one of these means alone would have been insufficient.

Another factor that we believe contributed to the community's progress is that almost all of the activities in the technology area, from the "convenings" to the conference workshops to the e-mail lists, have increased connections among people working on these issues and created a viable community of legal services technologists.

Although the following discussion focuses on making change in the community, it is also worth noting the many obstacles to change. Even as late as 1997, we faced deep and widespread skepticism about the value of new technologies. Technology was viewed as a major expense beyond the resources of most programs. Many programs had already been burned by spending large sums of money for computer systems that did not work or became obsolete almost immediately.

In addition, advocates either did not know how to use computer-assisted legal research tools, or

they had convinced themselves that these tools were not relevant to a poverty law practice. Managers feared that staff access to the Internet would open a Pandora's box of personnel management issues, ranging from the need to control time spent on on-line video games and personal e-mail to the concern that downloading or distributing pornographic materials might expose the program to sexual harassment lawsuits. Also, most people did not believe that clients would ever be in a position to access on-line assistance or materials. Above all, these technologies implied significant change in how programs operated, and most programs are naturally resistant to change.

Overcoming these obstacles was not simple or straightforward. The basic method for answering these concerns was an intensive and wide-ranging education process, with technology supporters working to reach as many individuals and groups as possible with useful and accurate information. We found it particularly important to educate funders, because funding for technology was key to promoting its use. The support of LSC and some statewide funders made an enormous difference.

The development of a community of colleagues exchanging information regularly gave people a way to share ideas, learn how to do what they wanted to do, and find funding to do it. In fact, an astonishing number of talented entrepreneurs emerged from the legal services community during this time period. The issue of technology merged with questions of how to best provide legal services in the 21st century to create nothing short of a movement: state justice communities that worked seamlessly together to serve clients across the state and the nation.

Education and Information Delivery

A centerpiece of our effort has been educating advocates and managers. This effort required the ability to share information about technology with the community in numerous different ways to appeal to different learning and research styles.

Trainings, Conferences, and Workshops

To provide managers and advocates with information and training about the use of new technologies, we worked to ensure that there were partial or even full tracks of workshops on technology at 14 major national conferences.[32] These sessions were sometimes suggested by people from the field and sometimes designed by Project staff with assistance from people in the field. Project staff also ensured that the conference planners provided adequate opportunity for technology-based sessions. Session topics included:

- technology planning and management
- Internet basics (in partnership with HandsNet)
- hotlines and related issues
- technology and pro bono
- IT staff
- case management software
- digital divide policy issues
- website content and management

Since 1997, there have been almost 100 technology-related sessions at various national or state legal services conferences. These workshops have showcased benchmark models and "best practices," enabled participants to ask questions and discuss issues and problems, and

32 These conferences are the 1997 NLADA/MIE Effective Delivery Conference, the 1997-2001 NLADA Annual Conferences, the 1998-2001 ABA/NLADA Equal Justice Conferences, and the 1998-2001 NLADA Substantive Law Conferences.

identified and celebrated leadership (including that of younger leaders) in this area.

In addition, the Project and its partners have planned several special events and specialized "pre-conferences":

- Case management conferences providing a full day of workshops, plenaries, and break-out sessions with tracks for both technical staff and legal services managers (co-sponsored by the Project and LSC).
- Technology showcases featuring hands-on demonstrations by approximately a dozen technology innovators from the legal services and pro bono worlds, including demonstrations of hotlines, case management systems, remote access videoconferencing, statewide websites, collaborations with pro bono attorneys, and new ways to work with low-income community groups. These showcases took place in special exhibit areas at major national conferences, where they were more readily available to participants throughout the conference (co-sponsored by the Project and Probono.net).
- An intensive technology workshop for key state leaders targeting states that had already instituted a basic technology infrastructure and were ready to move to the next level in their use of technology to advance the mission of the state's justice community. At this workshop, project directors, IOLTA directors, state support directors, and other key staff (two to five people from each state participated) heard about successful strategies employed by states considered leaders in technology; saw demonstrations of some of the most innovative uses of technology in legal services; participated in group discussions; and met in "state caucuses" to create action plans for their states (sponsored and facilitated by the Project).
- A hands-on session where 10 pre-selected participants learned how to create websites by building live sites for their program during the session (sponsored by the Project and facilitated by HandsNet).

Digital Divide

Through its technology work, the Project began to examine the relationship between technology and low-income communities and sought to put this relationship on the national legal services substantive agenda. Issues include access to technology (also called the "digital divide"); the availability of on-line content useful for and usable by poor people; the potential for consumer, privacy, and discrimination problems arising out of electronically based information systems; and ways to use technology to help people access services and escape poverty.

To learn more about these issues, Project staff worked with many other organizations, including some outside the traditional legal services community. Partners included the Alliance for Public Technology, the Benton Foundation's Digital Divide Network, the Department of Housing and Urban Development's Neighborhood Networks Project, the National Consumer Law Center, and other civil rights and poverty organizations.

Project staff then set out to educate the broader legal services community about this set of issues through articles, workshops at national and regional conferences, and special trainings. Julia Gordon, Project senior counsel, served as a key organizer of and presenter at the Interest on Lawyers' Accounts (IOLA) Fund of New York's annual conference in February 2001, which focused exclusively on the digital divide. The Project has also participated in digital divide conferences organized by the Department of Commerce's Technology Opportunity Grant program, as well as some private foundations.

Finally, Julia Gordon wrote an article about these issues titled "Legal Services and the Digital Divide," which was published in the Spring 2001 issue of the *Management Information Exchange Journal* (a publication that targets managers in the legal services community) and in the *Albany Law Journal of Science and Technology*.[33]

The Equal Justice Network Website

One of the first major initiatives of the Project was its website, the Equal Justice Network. The HTML version of the site, which debuted in mid-1998,[34] offered extensive materials about delivery innovations (particularly technology-related innovations), instructions on the basics of on-line research and use of the Internet, announcements, directories and links to other sites, interactive forums and discussion groups on substantive topics, and reports on the Project's activities.

Over time, Project staff added features to the site in response to requests or to perceived community needs. By late 1999, the site featured:

- Instructions on the basics of on-line research and use of the Internet;
- A job listing service, searchable either by state or chronologically, that was free to both job seekers and employers listing jobs;
- A training calendar searchable by state or topic;
- An innovations/best practices guide to technology-related projects;
- An extensive links page, including a definitive listing of all other legal services websites (both local programs and support organizations);
- Public and private discussion forums and e-mail lists;
- Extensive materials on hotlines, including an interactive database containing a national directory of all hotlines, a software review, and all issues of *Legal Hotline Quarterly*;
- Eighteen "white papers" on technology written by experts in the field; and
- An interactive database of information on holistic service delivery projects.

Traffic on the site grew from 20,000 "hits" per month and about 10,000 page requests in mid-1998 to more than 100,000 "hits" and 30,000 page requests per month by mid-2000.

Notwithstanding the success of the site, the Project completely redesigned the site in 2001 to take advantage of the many technological advances that had occurred since the site's creation, particularly the ability to have a database-driven site that would publish new information onto the website immediately.

The main goals for the redesign were:

- To permit remote submission of documents into a document library from anyone with a web browser, using a simple form that does

33 *Albany Law Journal of Science and Technology*, 809, (2002).

34 The first version of this site was created by consultants and went on-line on April 6, 1998. However, it soon became clear that the site did not accurately reflect the personality and goals of the Project, both in terms of its navigation and content and its design. As a result, with the help of a new staff member with some basic HTML authoring skills, the Project scrapped the first version of the site and redesigned a new one. The new site was intended to reflect both the Project and its audience more effectively. Graphically, the site was deliberately created to be simple and not overly sophisticated, using "warm" colors of light yellow and light blue. The navigation was redesigned to reflect the Project's various areas of focus, and the message boards were made more accessible.

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not require any knowledge of HTML or any other specialized knowledge beyond typing;

- To sort information by state, enabling users to find out what is happening in their own state or similar/neighboring states;
- To make information on the site more accessible and simpler to find;
- To create a cleaner aesthetic and more useful navigation structure; and
- To pioneer the use of open-source tools for highly functional and inexpensive legal services websites.[35]

Also, after looking at its relationship with NLADA and CLASP, the Project determined that the second version of the site would exist as a "virtual" site that could be entered seamlessly from either the NLADA or CLASP site. This plan required both sites to share a single database and cooperate closely on site design.

The new NLADA/Project/CLASP site was launched on October 1, 2001.[36]

Innovation and Experimentation

The Project and its partners also have sought to foster innovation and experimentation around technology. Strategies have included "convenings" of innovators and leaders; disseminating information about best practices and new ideas; supporting funding programs designed to encourage innovation; and "modeling" behavior by engaging in innovation and experimentation ourselves whenever possible.

In addition, we have tried to encourage meaningful evaluation of new ideas to ensure that innovation is used not just to provide new and different kinds of services, but to provide more effective services.

Convenings

Legal services managers and advocates, who work in an environment with high demand and low resources, often spend limited (if any) time on planning or evaluation. Particularly limited is the opportunity for organizations or individuals to take several steps away from the work of serving clients to look at long-term legal, societal, or cultural trends and developments to consider their implications for legal services delivery.

With staff devoted solely to capacity-building work, the Project has had the opportunity to facilitate long-term planning and collaboration around strategies for the future. To do so, the Project has convened several different groups of people for short- and long-term planning and strategizing.

Technology Advisory Group

In early 1998, the Project — working on behalf of OSI — convened a group of nine individuals with technological expertise and experience using technology in legal services delivery, as well as representatives from OSI, for two work sessions, one day in January and one in April, with subcommittee work undertaken between

35 Open source software is available for free from the developer and does not require the purchase of licenses. The developer shares the underlying code with users rather than keeping it as private intellectual property. The most well-known example of open source software is the operating system LINUX, which is an alternative to proprietary operating systems such as Microsoft Windows. When software is released on an open source basis, users everywhere can be part of the process of debugging and creating new applications to use with the software. Generally, a community of users develops around major open source programs. In addition to the obvious price advantages, the ethic of sharing and collaboration that characterizes open source seems to be a perfect fit for the legal services community.

36 See http://www.nlada.org/Civil/Civil_EJN or http://www.clasp.org/CLASP/Projects/Civil_EJN.

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Recommendations of the Technology Advisory Group (TAG)

TAG was divided into four subcommittees: Minimum Technology Capabilities (access to technology and technology support for advocates, including desktop Internet and e-mail access); Information Sharing (broad dissemination of information about technology-related delivery innovations); Evaluating Client Access Technologies (assessment and evaluation of client access models that use new telephone and computer technologies); and Vision (long-term planning about how technology will affect and change the provision of civil legal assistance in the future).

The recommendations stemming from the subcommittee work were as follows:

- Standards: Describe minimum and aspirational standards of office hardware and software configurations and applications by examining current successful configurations and looking at emerging technology; communicate models and other useful information; and determine what capabilities exist now and what need to be developed.
- Knowledge Sharing: Develop a plan by which knowledge about technology could best be distributed, with the understanding that these methods could also be used to distribute information about other substantive areas as well. Potential methods included website technologies; on-line training; on-site training; and technologies that push information to people through their e-mail.
- Client Access Technologies: Defined "client access technology" as "any computerized or telephone mechanism by which clients attempt to access the legal system with or without an attorney or other advocate in any way which is not the in-person face-to-face full representation model" (which included centralized telephone intake systems and remote legal representation as well as pro se and client legal education strategies) and identified four considerations (models and best practices, evaluation strategies, encouragement methods, and barriers) for each of the types of delivery: client education, pro se assistance, and remote legal representation.
- Vision: Convene a group of innovators from both inside and outside the legal services community to look beyond the current uses of technology and to think long-term about the relationship between technology and legal services, with the goal of better predicting and planning for the technological advances that might have consequences for the delivery of legal services in the future.

The follow-up to TAG's recommendations was:

- Standards: The Project developed minimum technology standards and model configurations, offering a range of options adaptable for programs of many different types and sizes. These guidelines were posted on the Equal Justice Network and distributed at conferences and by e-mail.
- Knowledge Sharing: The Project made the Equal Justice Network a centerpiece for communicating information about models and best practices and created a national e-mail list for anyone interested in legal services and technology. Other methods of knowledge sharing included conferences and workshops and the convening of the Information Management Advisory Group, explained on page 42.
- Client Access Technologies: In addition to trainings and conferences, the Project joined with AARP, LSC, and several programs around the country to obtain funding to conduct a major national survey of outcomes experienced by clients who used hotlines for brief advice and referral (the Hotline Outcomes Assessment Study). The Project also entered into a partnership with the AARP hotline project, wherein the AARP project used the Equal Justice Network as a forum for posting numerous pieces of information about legal hotlines, such as a national hotline directory and their newsletter, the *Legal Hotline Quarterly*.
- Vision: The Project joined with LSC, the National Center for State Courts, and consultants John Tull and Richard Zorza to plan the retreat on future technologies and their implications for delivery that took place at Airlie House in September 1998.

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the two sessions.[37] The group was known as the Technology Advisory Group (TAG).

At the first work session, TAG identified four areas of priority work (minimum technology standards, information sharing, evaluating client access technologies, and long-term vision) and created subcommittees to make recommendations about these areas. At the second session, the subcommittees reported back with their recommendations for action (see box opposite). Subsequently, the Project acted on all of the recommendations.

Technology and the Future of Legal Services Retreat

In September 1998, the Project, LSC, and the National Center for State Courts held a two-day, invitation-only retreat at Airlie House, a retreat center in rural Virginia. The retreat brought together 35 experts in legal services delivery and in technology, including the director of the Department of Commerce technology grant program and a representative from Lexis.

This effort to create a capacity for long-term strategic planning itself required lots of planning: prior to the actual retreat, the planners recruited numerous retreat attendees to write "white papers" on various aspects of technological developments and/or legal services delivery. These white papers served as the centerpiece of the retreat.

The retreat itself featured provocative and insightful comments from virtually all of the speakers. In fact, the discussion proved so fruitful that the Project published highlights from the transcript of the conference, along with all of the "white papers," on the Equal Justice Network website. Participants in the retreat left Virginia with a deeper understanding of the intersection of technology and legal services delivery, along with an agenda for future work. The conveners followed up by holding "vision" sessions at national conferences for a year following the retreat.

Information Management Advisory Group

By the summer of 1999, almost a year after the Airlie House retreat, the equal justice community had made tremendous strides in creating websites that enabled advocates and organizations to pool knowledge, information, and data. However, the creation of these information sources was not yet happening in any coordinated or systematic way. While many organizations maintained sophisticated websites, the community had not yet begun to organize and integrate this activity.

To help develop this system to its optimal potential, the Project convened the Information Management Advisory Group (IMAG) to take a closer look at the knowledge management needs of the community and to develop ways that knowledge systems could work together and benefit the largest number of advocates and clients. The group included representatives from the Project, the National Center on Poverty Law, HandsNet, Probono.net, MIE, national and state advocacy organizations, the chief technology officer from a major law firm, a representative from Lexis, representatives from the law school community, and consultant Richard Zorza.

The first meeting of IMAG, in August 1999, included discussions about the current information resources in the community, the various audiences for different kinds of information, and the most important principles to consider

37 TAG members: Hugh Calkins, Pine Tree Legal Assistance; Richard Granat, Center for Law Practice Technology; Larry Lavin, National Health Law Project; Jim Morrissey, Western New York Law Center; Linda Rexer, Michigan State Bar Association; Nancy Strohl, Public Interest Clearinghouse; John Tull, LSC; and Richard Zorza, Fund for the City of New York.

in moving forward. To model its goal of information sharing, IMAG determined at the outset of its first meeting that it would post all meeting minutes and other work product on the Equal Justice Network website to share with the community and encourage input.

At this meeting, IMAG members agreed that the national equal justice community should consider creating two "portal" websites, one aimed at low-income people, the other aimed at those who provide civil legal assistance to low-income people. IMAG's work dovetailed with the work of Richard Zorza, who was developing a series of papers on information management funded by OSI.[38] At the close of the meeting, members of IMAG committed to work in an ongoing manner through telephone conference calls, e-mail lists, and other forms of on-line collaboration.

Since that time, IMAG (the membership of which has remained fluid over time) has continued to work hard on issues critical to community-wide knowledge management. A second in-person meeting was held in January 2000, and open meetings with the community were held at the December 1999 NLADA Annual Conference in Long Beach, California, and at the April 2000 ABA/NLADA Equal Justice Conference in Houston.

Perhaps the most important piece of work that IMAG has undertaken is an effort to develop a highly sophisticated indexing system that can be used by all websites in the equal justice community to ensure that information can be exchanged freely between sites. This index essentially creates "legal services XML."[39] LSC has required recipients of its Technology Innovation Grants (TIG) to use the IMAG index, and most large sites in the community are voluntarily adhering to the index. Major players in this effort are the National Center on Poverty Law, LSC, and Pine Tree Legal Assistance.

Best Practices

To inspire ideas and action, the Project has circulated information about innovations, models, and best practices whenever possible. We have done this through our conferences, workshops and other sessions, the "best practices" page on the Equal Justice Network, and e-mail lists, conference calls, and technical assistance to individual programs and states.

Funding

Innovation and experimentation cannot occur in the absence of sufficient funding. Particularly for programs just beginning to experiment with new technologies, innovation can be costly and entail large up-front as well as ongoing costs. Thus, the Project has sought to provide technical assistance and advice to programs and states seeking funding, both in conference sessions and on an individual basis.

In addition, two streams of funding are dedicated solely to technology innovation: the LSC TIG, and the Department of Commerce Technology Opportunities Program (TOP, formerly TIAPP).

- **TIG**: In 2000, LSC obtained $4.25 million from Congress for technology-based programs that helped clients solve legal problems themselves. Using this money, LSC developed the TIG program. In 2001, LSC received another $7 million for this program. During those two years, TIG made a total of 86 grants. In 2002, the TIG program will

38 These papers are posted at http://www.zorza.net.

39 XML is the name for a type of coding that enables data to be shared freely among websites regardless of web platform, web browser, or any other variable.

award $4.4 million. LSC worked closely with the Project, Probono.net, TOP (see next page), and other legal services technologists to develop the grant program, and they involved all of these players as grant reviewers and instructors at grantee trainings. The Project and other consultants have provided planning and technical assistance to states and programs seeking TIG grants.

- **TOP**: When the TOP program started, it focused heavily on projects involving schools, libraries, and health care. Project staff worked to educate the TOP director and staff about legal services by including TOP staff in legal services conferences and participating in TOP conferences, scheduling personal meetings, and checking in regularly by phone and e-mail. Soon after the Project began to develop this relationship, TOP awarded its first legal services grant to Florida Rural Legal Services. Subsequently, TOP invited several legal services community members to serve as grant reviewers, and now TOP staff regularly includes legal services on the list of communities from which it solicits grant proposals. Several additional legal services programs have received grants since then.[40] The Project and other consultants have provided technical assistance to a number of programs preparing TOP grant proposals, and the Project has written letters of support for such proposals.

Modeling

The Project and other national organizations have also engaged in their own experimentation and innovation, not only to function more effectively, but also to model new technologies for the field. A review of every organization's technology activities is beyond the scope of this appendix, but examples within the Project include:

- The first Equal Justice Network, especially the message board and job listing service;
- The new NLADA and Project websites, including the use of open-source web authoring tools and the fully searchable e-library;
- A model of how to work nationally using technological tools (e.g., the IMAG standards process has posted all of its proceedings on the web and obtained extensive comments and feedback from members of the community across the country);
- Creation of numerous e-mail lists;
- Training over the web through the Practising Law Institute site; and
- The Hotline Outcomes Assessment Study (see below).

Evaluation

In encouraging programs and states to use new technologies, the technology community has sought to highlight the role that evaluation plays in ensuring that innovation is not undertaken merely for its own sake, but to provide better service to clients. In working with various funders, including the LSC TIG program, the Project and others have sought to ensure that evaluation is included as a key component of grant proposals and reports.

In addition to promoting evaluation as a tool through workshops and articles, the Project received OSI funding in 1999 to coordinate a major national evaluation project of a "new technology" for the benefit of the community: the Hotline Outcomes Assessment Study. Working with LSC, AARP, and the Michigan Access to

40 Legal services grantees include Pine Tree Legal Assistance of Maine, Legal Services Corporation of Central Massachusetts, and Legal Services Corporation of Iowa.

Justice Commission, the Project engaged a non-profit research firm, the Center for Policy Research in Denver, to conduct a study of the effectiveness of centralized telephone legal advice, brief service, and referral systems ("hotlines") in the delivery of civil legal assistance.

The Hotline Outcomes Assessment Study featured two separate phases. Phase I of the study focused primarily on the impact that adopting a telephone intake, legal advice, brief services, and referral system has on the caseload statistics of LSC-funded programs. This phase of the study used the case statistics that programs keep for LSC, along with extensive interviews with hotline managers, to perform both a quantitative and qualitative analysis.[41]

Phase II of the study, released in November 2002, answered the following questions:

- Do clients understand the advice they receive?
- Do they follow up on advice and referrals?
- Do they realize a satisfactory resolution to their problems as a result?
- Are particular types of callers (grouped by demographics and case type) more likely to experience favorable outcomes?
- Are certain types of hotline advice or services more likely to result in favorable outcomes?

Creating Community

Many people work best in a close-knit community of peers with whom they can share information, advice, and new ideas. However, in the mid-1990s, the nature of technology work in legal services programs was such that IT specialists had few or no peers with whom to work. These staff members felt isolated and unable to share information or obtain advice. Even lawyers and other program staff interested in technology seemed to experience the same problem. It was clear that this lack of community was resulting in numerous problems, including "re-creating the wheel" due to lack of inter-program communication, IT staff job dissatisfaction, and a lack of staff training around technology issues.

In an attempt to alleviate this problem, the Project has aimed to create a close-knit national community of advocates, managers, IT specialists, and others with a particular interest in this topic. One way to create such a community has been to hold specialized trainings designed to attract those with technology experience or interest. These trainings not only provide a place for this group to learn and share information, but to meet each other and form a community. Another way has been through e-mail lists, such as the very popular LS-TECH Yahoo Groups e-mail list, now including close to 400 legal services technologists nationwide, as well as an e-mail list specifically for legal services webmasters.

41 The quantitative analysis was compromised by very limited data, and the result was that some programs experienced increases in full-service caseloads, while others experienced decreases. One clear finding was that the larger the hotline budget, the more likely it was that the program had been able to increase both advice-only and full representation cases. Other qualitative findings included that all managers believed the hotline expanded the program's capacity, productivity, and accessibility; initial staff resentments and concerns about the decision to move to a hotline system faded once the hotline was implemented; many different staffing arrangements and operational formats work well; and future research should focus on client satisfaction and outcomes.

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Technical Assistance

Finally, the Project has provided targeted assistance to states aiming to improve their technology capacities. Julia Gordon, Project senior counsel, and other Project consultants worked with more than a dozen states in this capacity, through individual consultation and through small group workshops. Types of technical assistance have included facilitating one- or two-day meetings of statewide technology committees or task forces; consulting with funding programs on how to help programs increase technology capacity; assisting in planning technology-oriented workshops or trainings; and serving as a trainer at state or regional conferences.[42]

In addition, the Project negotiated an agreement between NLADA and Language Line Services, a provider of over-the-phone interpretation services, to provide discounted language interpretation services for NLADA members. The Project also worked with Glenn Rawdon of LSC, who negotiated a national discount for Lexis/Nexis for legal services organizations, to ensure that this deal would apply not just to LSC grantees, but to all nonprofits providing free civil legal assistance to poor people.

■ ■ ■

A multifaceted effort, including education, scholarship, resource development, and collaboration, can serve as a powerful catalyst for change, even when the total amount of resources available is relatively small. The Project had only one staff person dedicated to working on technology issues, and most of the other major players were similarly situated. As the Project turns its attention to new priorities, we hope to use similar techniques to create positive change in the way legal services meets the needs of clients in the 21st century.

42 One example of the Project's work is in Washington, DC, where Julia Gordon has served as a key technical advisor to the DC Bar Public Service Activities Corporation Subcommittee on Technology for that committee's initiative to improve the technological capacity of local legal services providers. This initiative won an award from the DC Bar as "Best Bar Project" in 2000.

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